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Roll 25

DESPATCHES FROM UNITED STATES CONSULS IN SHANGHAI, 1847-1906

Volume 25

July 23 - December 28, 1877

THE NATIONAL ARCHIVES

Washington: 1947

INTRODUCTORY NOTE

The volume microcopied on this roll has the following backstrip title: "25 / Shanghai / July 23, 1877 / December 28, 1877 / Department / of State." It contains despatches, with enclosures, addressed to the Department of State from United States consular officials at Shanghai, China, between July 23 and December 28, 1877. The contents are registered on Roll 1 of the microcopy.

The volume is part of a body of records in the National Archives designated as Record Group No. 59, General Records of the Department of State. It is volume 25 of a series generally referred to as Consular Despatches, Shanghai.

W. S. T. C. 25

Mr. Lord.
ack Sept. 10

DEPARTMENT
RECEIVED
SEP
1485-81
R296 B.

No. 91. United States Consulate General,
Shanghai July 23rd 1877.

Mr Bradford to the Department of State.

Subject: Miscellaneous Expense account.

Abstract of Contents.

Incloses Miscellaneous Expense account for 2nd quarter 1877, supported by 18 Vouchers.

No. 91.

U. S. Consulate General.
Honolulu. July 23rd 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir:

I send Herewith for your hands your account for Miscellaneous Expenses for the 2nd quarter 1877. supported by 18 Vouchers. I have balanced this account in the sum of $425.23/11 by a Transfer of that amount to my Salary and fees account To the Honorable Fifth Auditor of the Treasury.

I am.

Sir.

Your Obedient Servant.

O. P. Hastings
Jr. Consul General.

Inclosure.

Account and 18 Vouchers.

Ltr Korea

DEPARTMENT
RECEIVED
SEP
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1877
OF STATE

ack Sept 10

No. 92. United States Consulate General,

Shanghai July 23d 1877.

Mr. Bradford to the Department of State,

Subject.

Forwards inclosed the usual quarterly returns for 2d quarter of 1877.

No. 22. Weekly Pay Roll of Laborers employed on the Improvement of Red River, from Shreveport to Alexandria, for the week ending Saturday, January 3rd, 1874.

No. 92.

United States Consulate General,
Shanghai, July 23d 1877.

Honorable John A. Campbell,
Third Assistant Secretary of State,
Washington,

Sir,

Inclosed I have the honor to hand you the usual Returns for the 2d quarter of 1877, which please find in order as follows:-

Inclosure No. 1. Digest of "Invoice Book"— Form No. 117.

do. do. 2. Register of official "Letters Received." Form No. 118.

" " 3. Register of official "Letters Sent." Form No. 119.

" " 4. "Arrivals and departures of vessels" Form No. 120.

" " 5. "Abstract of Passports issued." Form No. 122.

Inclosure No. 6. "Police Cases,— No. 7. "Civil Suits."

" " 8. "Jail Report." " 9. "Correspondence Report."

I

I am Sir,

Your obedient servant,

Vice Consul General.

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Municipal Council,	6540	Shanghai, April 2. 1877.	Apl. 3. 1877.	Debit notes against Taotai for 2qr. of 1877.		
U.S. Vice Consul,	6541	Newchwang Mch. 19. "	" " "	Sending dispatch to Dept.		
" "	6542	" " 27 "	" " "	Receipt of dispatch, matter of Buffum.		
Taotai,	6543	Shanghai " 26 "	" " "	" " about weights &c.		
Rennie & Drummond	6544	" Apl. 4 "	" 5 "	Matter of Summons for Mr. Purdon.		
German Consul,	6545	" " 5 "	" " "	Receipt of dispatch, Mr. Bradford in charge.		
Morris & Co.	6546	" " 5 "	" " "	Carpenter of the "Almatia"		
Jap. Consul and Postal Agt.	6547	" " 5 "	" " "	Receipt of dispatch, Mr. Bradford in charge.		
Spanish Consul,	6548	" " 5 "	" 6 "	" " " " " "		
Dutch Consul,	6549	" " 6 "	" " "	" " " " " "		
Jap. Consul General,	6550	" " " "	" 7 "	Thanks for courtesy of half masting Flag for decease of General		
Austrian Consul,	6551	" " 5 "	" " "	Receipt of dispatch Mr Bradford in charge.		
H. B. Mts Court,	6552	" " 6 "	" 9 "	" " " " " "		
U.S. Vice Consul,	6553	Newchwang Mch 30 "	" 10 "	Mr. Buffum has no land at Newchwang.		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Admiral Reynolds,	6554	Hongkong, April 2d. 1877	April 10th 1877.	"Tennessee" leaves for Yokohama.		
U. S. Vice-Consul,	6555	Tientsin " 5 "	" " "	Ack'g. receipt of dispatch & its transit to Dept.		
Post Master General,	6556	Hongkong " " "	" 11 "	Sending Annual report for 1876.		
H. Andrew Jenkins,	6557	Shanghai, " 10 "	" " "	Change of steamers name from "Hoan Mau" to "Foochow".		
Melchers & Co.	6558	Hongkong, " 12 "	" 12 "	Establishes a firm in Shanghai.		
Consul General Portugal	6559	Shanghai, " " "	" " "	Ack'g. receipt of dispatch.		
U.S. Consul	6560	Hongkong. " 13 "	" 13 "	Receipt of dispatch for Capt. Stewart		
" "	6561	do. do. " " "	" " "	" " " Vice Consul General in charge		
" "	6562	Ningpo, " " "	" " "	Sending dispatch for Dept.		
Taotai	6563	Wuhoo, " " "	" " "	Opening of river ports.		
U.S. Consular Agent.	6564	Swatow, " 14 "	" 14 "	Receipt of dispatch announcing V. Consul Gen'l. in charge		
U.S. Vice Consul,	6565	Amoy, " " "	" " "	" "		"
" "	6566	Foochow, " " "	" " "	" "		"
Dept of State.	6567	Washington, " " "	" " "	Receipt of dispatch		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Supt. of Foreign Mails	6568	Washington Feb. 21st 1877	Apl. 14. 1877	Receipt of dispatch		
U. S. Consul,	6569	Nagasaki Apl. 7. "	" " "	" "		
" "	6570	Hiogo " 11 "	" 16 "	Teas shipped from Hiogo to Shanghai.		
U.S. Vice Consul,	6571	Newchwang Mch. 31 "	" 18 "	Sending dispatch for Dept.		
" "	6572	" " " "	" " "	" " "		
U. S. Consul,	6573	Hiogo Apl. 12 "	" " "	Acknowledging dispatch from Vice Consul General.		
" "	6574	Canton " 11 "	" " "	Sending dispatch for Legation.		
" "	6575	" " 7 "	" " "	" " "		
U. S. S. "Palos,"	6576	Shanghai, " 18 "	" 19 "	Receipt of dispatch acknowledged.		
James Stewart,	6577	Swatow " 13 "	" " "	" " about "Enoch Train"		
Italian Consul Gen'l.	6578	Shanghai " 7 "	" " "	" " Vice Consul General in charge.		
Danish Consul,	6579	" " 18 "	" " "	Mr. F. B. Johnson assumes charge as Consul.		
U. S. Consul,	6580	Canton " 4 "	" " "	Receipt of dispatch that Mr. Bradford is in charge Con. Genl.		
Adamson Bell & Co.	6581	Shanghai 21 "	" 21 "	Dispute with Master of "Hayden Brown".		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
M. A. Jenkins	6582	Shanghai April 23d 1877	April 23. 1877	Application for river pass steamer "Soochow."		
U. S. Consul,	6583	Hankow " 14 "	" 24 "	Receipt of dispatch and has returned to Ichang.		
do. do.	6584	" " 19th "	" " "	Mr. Beebe resigns as Consular Agent - Kiukiang.		
" "	6585	Canton " 11th "	" " "	Sending dispatch for Legation		
Adamson Bell & Co.	6586	Shanghai " 24th "	" " "	Settlement of dispute about "Hayden Brown".		
Annie Schepf,	6587	San Francisco Mch. 12th "	" 26th "	In relation to Mrs. Mills accounts.		
J. Mc Emanuel,	6588	Philadelphia Feb. 26 "	" " "	Asking for postage stamps for Paris Exhibition.		
Cornelius Noonan,	6589	Morris, Minn. Mch 10 "	" " "	Inquiry for Michael Noonan.		
Dept of State,	6590	Washington Feb. 20th "	" " "	Sending Circular of value of coins.		
" "	6591	" " 22 "	" " "	Dispatch saying that Senior Consulship imposes great discretion on the part of incumbent		
Fifth Auditor of Treasury	6592	" " 23 "	" " "	Seamens a/c 4th qr. of 1876, acknowledged.		
Comptroller - Treasury	6593	" " 24 "	" " "	" " " " " Correct.		
3d Asst. P. M. General	6594	" " 22 "	" " "	Acknowledging receipt of 25 dead letters, & Reg.		
Supt. Foreign Mails	6595	" Mch 9 "	" " "	Receipt of letters for mailing at Washington.		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
U.S. Legation,	6596	Tokio, April, 13. 1877.	April 26. 1877	Receipt of dispatch Vice Consul General in Charge		
U.S.S. "Tennessee",	6597	Yokohama, Apl 14. "	" " "	" " "	"	"
U.S. Vice Consul,	6598	Newchwang, " 17 "	" " "	" " "	"	"
U.S.S. "Monocacy,"	6599	Wookoo, " 23 "	" " "	Requesting that Mails be retained.		
M.A. Jenkins,	6600	Shanghai " 26 "	" " "	Appointment of Master to "Soochow" (Steamer)		
E. Byrne,	6601	" " 27 "	" " "	Is Agent for "Plimpton's Roller Skates."		
Feng-Tautai,	6602	" " 28 "	" 28 "	Deed to 164 Farnham to Jardine Matheson & Co.		
U.S. Consul,	6603	Hankow, " 24 "	" " "	Sending dispatch to Dept. about Swiss Citizens.		
H.B.M. Registrar of Shipg	6604	Shanghai, " 30 "	May 1 "	" $24.70/100 for Seaman Bird.		
U.S. Consul,	6605	Hankow, " 28 "	" 2 "	Chinese Text — Treaty of Tientsin.		
U.S. Legation,	6606	Peking, " 25 "	" 3 "	Disputed measurement of Lorcha at Peking.		
" "	6607	" " " "	" " "	Return of passports to be made.		
U.S. Consul,	6608	Hankow, " 30 "	" " "	Sending dispatch for Dept. & Legation.		
Consul Gen'l. for France	6609	Shanghai, May 3rd "	" " "	Captain Rouse's case.		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Department of State,	6610	Washington, Mch. 6. 1877	May 4. 1877	Circulars No. 9 relating to Debenture Certificates.		
" "	6611	" " 12 "	" " "	Hon. W. M. Evarts appointed Secretary of State.		
" "	6612	" " 2 "	" " "	Circulars No. 8, relating to Invoices Certificates.		
" "	6613	" " 15 "	" " "	Receipt of dispatch No. 50 – disapproved.		
" "	6614	" " 16 "	" " "	Nom'n of Interpreter at Amoy approved.		
" "	6615	" " 19 "	" " "	"Mutilated Police book cases" on file in Dept.		
" "	6616	" " 23 "	" " "	Mr. Johnson's status. How claims are to be sent.		
W. S. Wetmore,	6617	Shanghai May 4 "	" " "	Assault by Rick-shaw men.		
Lieu, Taotai,	6618	" " " "	" " "	Assumes duties as Acting Taotai.		
U. S. Legation	6619	Peking " 7 "	" 7 "	Receipt of dispatch.		
Mixed Court Magistrate	6620	Shanghai " 8 "	" 9 "	Tax on foreigners houses.		
J. W. Hume,	6621	" " 11 "	" " "	Withdraws "Notice of Appeal" – Hume vs. Gilman.		
Taotai,	6622	" " 16 "	" 10 "	Mr. Hopkins claim.		
Local Post Office.	6623	" " 8 "	" " "	Sending unclaimed letters.		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Municipal Council,	6624	Shanghai May 12. 1877	May 12. 1877	Requesting that a debit note be sent to Taotai.		
U. S. Legation,	6625	Peking " 7 "	" 14. "	Rev. Mr DuBose case at Soochow,		
" "	6626	" " 8 "	" " "	Matter of Masters and Mates of Vessels.		
U. S. Vice Consul,	6627	Tientsin " 11 "	" 15 "	Sending dispatch for Dept.		
J. F. Seaman,	6628	Shanghai " 16 "	" 16 "	Estate of Mrs. Bridgman,		
Taotai,	6629	" " 8 "	" 19 "	Matter of Export Bonds Russell & Co.		
H. C. du Bose	6630	" " 19 "	" " "	The men imprisoned at Soochow.		
British Consulate	6631	" " " "	" " "	Sending discharge Robert Thompson.		
H. Finegal,	6632	San Francisco Apl. 20 "	" 20 "	Inquiry for Frederick Jerome.		
Martin & Johnson,	6633	New York, Mch. 26 "	" " "	Inquiry for Tobacco firms		
Supt. of For. Mails,	6634	Washington Apl. 10 "	" " "	Sending "Postal Guide".		
Comptroller Treasury	6635	" " 9 "	" " "	Extra Clk. hire account 3d & 4th qr. 1876		
" "	6636	" " " "	" " "	Salary Account	"	" " " " "
" "	6637	" " " "	" " "	Interpreters do	"	" " " " "

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June *1877.*

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Comptroller Treasury	6638	Washington, April 9. 1877	May 20. 1877	Marshals Account for 3d & 4th qr. of 1876		
" "	6639	" " " "	" " "	Consular Clerks " "	" "	" " "
Fifth Auditor Treasury	6640	" " 7 "	" " "	Sundry Accounts	" "	" " "
Dept. of State	6641	" Feb 21 "	" " "	Registered Letters sent and received. - Legation		
"	6642	" Mch 23 "	" " "	Announcing appointment of Hon. F.W. Seward. - Asst. Sec.		
"	6643	" Apl 7 "	" " "	Pouches for Dept not to accumulate.		
"	6644	" " 9 "	" " "	Receipt of dispatches. 1st page form satisfactory.		
Dr. M.S. Yates	6645	Shanghai May 21 "	" 21 "	Resigns Interpretership at Shanghai.		
Municipal Council,	6646	" " 22 "	" 23 "	Dr. Macartee to sit as Assessor.		
H.J. Campbell,	6647	Allora Queensland Mch. 4 "	" " "	Inquiry for A.A. Campbell.		
H.B.M. Consulate,	6648	Shanghai May 25 "	" 25 "	Sending discharge of John Flood.		
Supt of Police,	6649	" " 24 "	" 24 "	Dr. Yates resignation - and complimentary letter.		
British Consul,	6650	" " 25 "	" 25 "	Dr McCartee to sit in the Mixed Court.		
Fearon Low & Co.	6651	" " 24 "	" 24 "	Customs refuse to pay drawbacks.		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June *1877.*

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
U.S. Consul.	6652	Hankow, May 23. 1877	May 26. 1877	Sending dispatch to Dept. and Legation.		
" "	6653	" " "	" 28 "	" " " "		
" "	6654	New Brunswick Mch. 8 "	" " "	Asking for postage stamps.		
Magistrate Mixed Court	6655	Shanghai May 26 "	" " "	Informing that Dr. McCartee has assumed Assessorship.		
Legation of U.S	6656	Peking " 21 "	" 29 "	Losses by the French Riots in 1874.		
" " "	6657	" " 22 "	" " "	Receipt of dispatch No. 553.		
Municipal Council	6658	Shanghai, " 30 "	" 31 "	" " " about house No. 344.		
U.S. Consul,	6659	Hankow, " 28 "	" " "	Sending dispatch for Dept.		
" "	6660	Chinkiang, " 31 "	June 1 "	Receipt of dispatch 169.		
C. P. Blethen,	6661	Shanghai, " " "	" 2 "	Officers of "B. Aymar".		
Magistrate Mix Court	6662	" June 1 "	" " "	Trouble about Jin-ricksha's.		
Basil R. Wood,	6663	Yokohama, May 25 "	" " "	Inquiry for letters to his address.		
Taotai,	6664	Shanghai. June 1 "	" " "	Capt. Rowe's proposition to extend pontoons.		
do.	6665	" " 1 "	" " "	Measurement for Title Deeds.		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Taotai,	6666	Shanghai June 2. 77	June 2. 1877	Sending 2 Bank orders for subscription.		
H. C. du Bose.	6667	Soochow May 29 "	" 4 "	Sending duplicate of a former letter.		
U. S. Consular Agt.	6668	Chefoo, June 1 "	" " "	Receipt of dispatch.		
Municipal Council,	6669	Shanghai, " 5 "	" 4 "	" " "		
M. Andrew Jenkins.	6670	" " 6 "	" 5 "	Appointment. Master - Steamer "Soochow."		
District Magistrate	6671	" " 6 "	" 6 "	Dead man found by the Tepaou.		
Taotai,	6672	" " 4 "	" 7 "	Foreshore property Astor House.		
U. S. Legation,	6673	Chefoo " " "	" 8 "	Legation moved to Chefoo.		
" "	6674	" " 5 "	" " "	Dr McCartee to act as Interpreter.		
" "	6675	" " 6 "	" " "	The DuBose matter at Soochow.		
Taotai	6676	Shanghai " " "	" " "	Returning Title Deed 327.		
British Consulate	6677	" " 7 "	" " "	Mr C. T. Gardiner to act in Mixed Court.		
E. G. Low,	6678	" May 30 "	May 31 "	Request to transfer the "Kin Fan Li."		
U. S. Consul,	6679	Amoy June 5 "	June 9 "	Copy of Revised Land Regulations.		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
U. S. Consul,	6680	Amoy, June 5. 1877	June 9. 1877	Nom. Mr. J. Dodd as Consular Agt. Tamsui Keelung.		
U. S. Legation	6681	Chefoo, " " "	" " "	"Palos" to carry Mr. Holcombe to Nanking.		
Dept. of State	6682	Washington Apl. 13 "	" " "	Accounts of Vice Consul General,		
"Palos", U.S.S.	6683	Shanghai June 9 "	" " "	States its readiness to proceed to Nanking.		
R. R. Osgood,	6684	Troy, Apl. 16. "	" " "	Sending a circular.		
Mag. Mixed Court,	6685	Shanghai June 9 "	" " "	" proclamation against Kidnapping.		
U. S. Consul.	6686	Canton May 25 "	" 13 "	" Dispatch for Department.		
" "	6687	" " 30 "	" " "	" " " "		
" "	6688	" " 25 "	" 14 "	" " " Legation		
U. S. Legation,	6689	Chefoo June 8 "	" " "	Instructions in "Ward" and "Georgeor" claims.		
H. B. du Bose,	6690	Soochow June 12 "	" " "	Receipt of dispatch inclosing copy of Mr. Seward's.		
C & J. Trading Co.	6691	Shanghai " 14 "	" " "	Duties on Spirits of Wine &c.		
Taotai	6692	" " 12 "	" " "	Sending Deeds etc's. 330 and 164.		
Dept. of State.	6693	Washington May 4 "	" 15 "	Dispatches numbered from 60 to 66 acknowledged.		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Dept. of State,	6694	Washington May 7. 1877	June 15. 1877	Acknowledging 61 on Mint in China.		
S. Messenger,	6695	San Francisco " " "	" " "	Inquiring for H. A. Messenger.		
U. S. Consul,	6696	Chinkiang June 14 "	" 16 "	" about conducting a Theatre.		
" "	6697	Amoy, " 8 "	" " "	Requesting passport for Rev. P. McKibben - Swatow.		
" "	6698	Canton, " 9 "	" 18 "	Receipt of dispatch No 203.		
Jardine Matheson & Co	6699	Shanghai, " 18 "	" 19 "	Requesting transfer of deed 164 to British Consulate.		
U.S. Legation,	6700	Chefoo, " 12 "	" " "	Instructions about judicial matters.		
U.S.S. "Ashuelot,	6701	Amoy, " 13 "	" " "	Will be at Foochow, 16th and Ningpo 28th June.		
U. S. Consul,	6702	Ningpo, " 21 "	" 22 "	Inquiry about steamer Foochow.		
Mitsu Bishi M.S.S. Co.	6703	Shanghai " 23 "	" 24 "	Requesting that their deeds be cancelled. &c		
U. S. S. "Monocacy"	6704	Tientsin, " 19 "	" 25 "	Asking for postage bill.		
Magistrate Mixed Ct.	6705	Shanghai, " 23 "	" " "	Inclosing petition of Yung tung.		
Municipal Council.	6706	" " 25 "	" " "	Receipt of dispatch about filling in foreshore.		
U. S. Consul.	6707	Canton, " 21 "	" 27 "	Has ~~no~~ sent copy of Pakhoi report to Legation.		

[Form No. 118.]

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Department of State.	6708	Washington, May 14. '77	June 27. 1877	Circular instructions about Invoices in detail.		
" "	6709	" " 21. "	" " "	Receipt of dispatch — Vice Consul General in charge.		
M. A. Jenkins,	6710	Shanghai, " 27 "	" 28 "	The steamer "Soochow" and the Customs.		
Lane, Crawford & Co.	6711	do. " 28 "	" " "	Claims against M. H. Cook.		
Mixed Court Magistrate,	6712	do. " " "	" " "	Receipt of dispatch about Jin-rick-sha Coolies.		
Municipal Council,	6713	do. " " "	" 29 "	Acknowledging receipt of dispatch.		

E. & O. E.

United States Consulate General.
Shanghai, June 30th 1877.

S. Brooks Vice Consul General.

[Form No. 119.]

Register of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending 30th June 1877.

DATE. 1877	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
April 12	10430	Dept. of State Washington.	Opening port of Wuhui, Nomination of Mr. Williams.	
" "	10431	U.S. Consul Chinkiang.	" " " "	
" "	10432	Collector of Customs New York,	Sending 83 Triplicate Invoices	
" "	10433	" " Boston,	" 13 " "	
" "	10434	" " San Francisco	" 5 " "	
" 13	10435	Legation Peking.	Correspondence and Court returns forwarded.	
" 14	10436	Tau Tai Shanghai.	Forwarding Title Deed No. 164.	
" "	10437	Consul for Austria, do.	Custody of Consular Body's papers.	
" "	10438	" Belgium, "	" " "	
" "	10439	" Denmark, "	" " "	
" "	10440	" France, "	" " "	
" "	10441	" Great Britain "	" " "	
" "	10442	" Germany, "	" " "	
" "	10443	" Italy "	" " "	

[Form No. 119.]

Register of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending 30th June 1877.

DATE. 1877		NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
April	14	10441	Consul for Japan, Shanghai	Custody of Consular Body's papers.	
"	"	10442	" Netherlands, "	" "	
"	"	10443	" Portugal, "	" "	
"	"	10444	" Russia, "	" "	
"	"	10445	" Spain, "	" "	
"	"	10446	" Sweden & Norway "	" "	
"	17	10450	Post Master General Hong Kong.	Receipt of report for 1876.	
"	18	10451	Comdr. U.S.S. "Palos", Shanghai	Arrest of Wm Stevens.	
"	19	10452	S. C. Farnham, "	Handing him deed No. 295.	
"	20	10453	Hyde & Hertz "	" them " " 283 and 302.	
"	"	10454	H. Danish Min. Consul "	Mr. Johnson's return.	
"	23	10455	Adamson Bell & Co. "	Matter of the "Haydn Brown".	
"	24	10456	Tau Tai, "	Title deeds Nos. 293, 294, 295, 304, 305 & 325 forwarded.	
"	"	10457	E. Byrne, "	His application for Mr. Plimpton.	

[Form No. 119.]

Register of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending 30th June 1877.

DATE. 1877	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
April 27	10458	Taotai Shanghai	Transfer of Title Deed No. 222.	
May 1	10459	Collector of Customs San Francisco	14 Triplicate Invoices.	
" 2	10460	French Consul General Shanghai	Capt. Rouse complaint.	
" 3	10461	J. F. Shepard U.S.C. Hankow	Ask his No. 6. about Swiss citizens.	
" 4	10462	H.B.M.'s Supreme Court " Shanghai	Request of J. Roberts.	
" 5	10463	Lieu Taotai "	Saying he has taken Seals.	
" "	10464	" " "	His Rickshaw assault case	
" "	10465	W. S. Welmore "	" " "	
" 7	10466	F. W. Gallis, "	Forwarding Mortgages of the "Paotong"	
" 8	10467	French Consul General . "	Capt. Rouse complaint settled.	
" 11	10468	J. F. Shepard Hankow	Dept's answer about claims against R. M. Johnson.	
" "	10469	Magistrate of Mixed Court Shanghai	Bell about tax on house No. 344.	
" "	10470	J. Hart, Ch. M. Council d.	" " "	
" 12	10471	Dept. of State Washington	Acknowledging receipt of Circulars 7, 8, and 9.	

[Form No. 119.]

Register of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending 30th June 1877.

DATE. 1877		NO.	TO WHOM AND WHAT PLACE SENT.		ON WHAT SUBJECT.	NO. OF ENCLOSURES
May	12	10472	Dept. of State	Washington.	Dispatch acknowledged - Mr. Evarts Sec. of State,	
"	"	10473	" "	"	Issuing of passports.	
"	"	10474	U.S. Minister	Peking	" "	
"	15	10475	Caleb Buffum	Salem, Mass.	Answering his letter about deceased relative.	
"	"	10476	Collector of Customs	Boston	3 Triplicate Invoices.	
"	"	10477	" "	New York	24 " "	
"	"	10478	" "	San Francisco	9 " "	
"	"	10479	Comdr. U.S.S. Monocacy	Shanghai	Arrest of 2 deserters.	
"	"	10480	U.S. Minister	Peking	Masters and Mates of American vessels.	
"	"	10481	Dept. of State	Washington	Sending copy of above	
"	"	10482	Taotai	Shanghai	" Wharfage dues - debit note.	
"	17	10483	John M. Kelly.	"	Forwarding Mortgage "Astor House".	
"	"	10484	Capt. Geo. E. Bell,	"	Warning him to deposit ship papers.	
"	"	10485	F. W. Gallis	"	Forwarding Title deed No. 331.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

DATE. 1877	NO.	TO WHOM AND WHAT PLACE SENT.		ON WHAT SUBJECT.	NO. OF ENCLOSURES
May 19	10486	Geo. J. H. Cowie	Shanghai	Title Deed No. 222 forwarded.	
" 22	10487	J. Hart, Ch. M'l. Council	"	Dr. McCartee becomes the Assessor in the Mixed Court.	
" "	10488	C. Penfold, Supt. of Police	"	" " " "	
" "	10489	Taotai	"	" " " "	
" "	10490	Magistrate Mixed Court	"	" " " "	
" "	10491	H. B. M's Consul	"	" " " "	
" "	10492	Collector of Customs	San Francisco.	2 Triplicate Invoices.	
" 18	10493	H. C. DuBose	Shanghai.	Copy of Mr. Sewards instruction	
" 22	10494	Taotai	"	Deeds and re-measurement of land.	
" 23	10495	"	"	Transfer of Title Deed No. 327.	
" 21	10496	Dept. of State.	Washington	Nomination of Dr. McCartee as Interpreter.	
" 23	10497	" " "	"	Dr Yates resignation as such Interpreter	
" "	10498	U. S. Consul	Amoy	Form of 1st pages of dispatches to Department.	
" "	10499	" "	Chinkiang	" " " "	

[Form No. 119.]

Register of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending 30th June 1877.

DATE. 1877		NO.	TO WHOM AND WHAT PLACE SENT.		ON WHAT SUBJECT.	NO. OF ENCLOSURES
May	23	10500	U. S. Consul	Canton,	Form of 1st pages of dispatches to Dept.	
"	"	10501	" " "	Chefoo,	" " "	
"	"	10502	" " "	Foochow	" " "	
"	"	10503	" " "	Hankow	" " "	
"	"	10504	" " "	Kiukiang.	" " "	
"	"	10505	" " "	Ningpo,	" " "	
"	"	10506	" " "	Newchwang.	" " "	
"	"	10507	" " "	Swatow,	" " "	
"	"	10508	" " "	Tientsin,	" " "	
"	25	10509	Dr Yates.,	Shanghai	Copy of Mr. Stripling's complimentary letter.	
"	26	10510	Legation,	Peking	The Du Bose case at Foochow.	
"	"	10511	Dr. Yates	Shanghai	Acknowledging receipt of his letter of resignation.	
"	26	10512	J. H. Blackfan, Postal Dept.	Washington	Acknowledging receipt of dispatches.	
"	28	10513	Dept of State	do.	" " " about Hon Fredk. Seward's appointm	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

DATE. 1877	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES
May 28	10514	Dept. of State Washington,	Acknowledging receipt of circular	
" 29	10515	Taotai Shanghai	Russell & Co. Tea Bonds.	
" 28	10516	Messrs Martin & Johnson Newyork	About manufactured Tobacco.	
" "	10517	Cornelius Noonan Morris, Minn.	Answer to letter asking for information.	
" "	10518	Miss Annie Schepf now Annie Mills-S. Francisco.	" " " " "	
" "	10519	Schadgett & Schmid Shanghai	Claim against Charles E Stendrick, Pilot.	
" "	10520	D.C. Jansen "	" " " "	
" "	10521	" "	" " " "	
" "	10522	Kirsbrunner & Co. "	" " " "	
" "	10523	C. Schmidt. "	" " " "	
" "	10524	Hall and Haltz. "	" " " "	
" "	10525	J. M. Schmidt, "	" " " "	
" "	10526	C. P. Blethen, "	" " " "	
" "	10527	Ching Chong, "	" " " "	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES
May 28	10528	Rozario & Co. Shanghai.	Claim against C. Hendrick, Pilot.	
" "	10529	Farnham & Co. "	" " " "	
" "	10530	A. Silverthorne & Co "	" " " "	
" "	10531	do do "	" " " "	
" "	10532	S. S. Navigation Co. "	" " " "	
" "	10533	W. H. Hendrick, "	" " " "	
" 30	10534	Taotai "	Woohoo - Taotai's letter.	
" "	10535	Magistrate Mixed Court "	Taxes on houses in the country.	
" "	10536	Fearon Low & Co. "	Drawbacks unpaid	
" "	10537	U. S. Consul Hankow	No Chinese copy of English Treaty.	
June 2	10538	Taotai Shanghai.	Receipt of Check for Wharfage dues.	
" "	10539	Municipal Council do	Sending " " "	
" "	10540	E. Remington & Sons. Newyork	Receipt of rifles for Viceroy.	
" "	10541	Benjamin Trask Nagasaki	Asking for information of Frederick Jerome.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

DATE. 1877	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES
June 5	10542	E. G. Low, Shanghai	Sending Mortgage,	
" 8	10543	Capt. Wise Comdg. U.S.S. "Palos" "	To take Mr. Holcombe to Nanking.	
" "	10544	H. C. Du Bose, "	The trouble at Soochow.	
" "	10545	H. B. M's Consul, "	Acknowledging receipt of dispatch.	
" "	10546	M. T. Yates, "	Forwarding Title Deed No. 327.	
" 12	10547	Dept. of State Washington,	Mr. Shepard's No. 12 to Dept.	
" "	10548	" " "	Inclosing editorial about Peng Taitai.	
" "	10549	" " "	Nominating Mr. Dodd as Consular Agent at Tamsui.	
" "	10550	C. P. Lincoln Canton Consul	His 37 and 39 to Dept. Report on Hainan.	
" "	10551	Collector of Customs New York	38 Triplicate Invoices.	
" "	10552	" " Boston	3 " "	
" 13	10553	" " San Francisco	26 " "	
" "	10554	U.S. Consul Amoy	Sending land regulations, 1875.	
" "	10555	Dept of State Washington	Requisition for Blank books at Ichang.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June 1877.

DATE. 1877		NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES
June	14	10556	F. H. Gallis, Shanghai,	Sending Title Deed No. 164.	
"	"	10557	Dept. of State Washington,	That Seals & Stamps have not yet arrived.	
"	"	10558	F. W. Gallis, Shanghai.	Sending Title Deed No. 330.	
"	"	10559	U. S. Minister Chefoo,	Copy of Mr DuBose's letter of 12th June.	
"	16	10560	J. C. S. Colby, U.S.C. Chinkiang,	Runing a Theatre at night	
"	18	10561	U. S. Consul Amoy,	Sending passport to Mr. McKibben.	
"	19	10562	Comdg. Officer USS. "Palos", Shanghai.	Arrest of deserter Hansen.	
"	"	10563	Collector of Customs San Francisco.	32 Diplicate Invoices	
"	20	10564	Taotai Shanghai,	Sending Title deed 164.	
"	"	10565	" " "	Fore shore near "Astor House".	
"	21	10566	J. Hart, Comr. of Customs, "	" " Hongkew Timber Yard.	
"	22	10567	Legation Chefoo.	Instruction about Judicial procedure.	
"	"	10568	" "	The "Palos" to take Mr. Holcombe to Nanking.	
"	"	10569	" "	"Leg Wains" measurement.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June *1877.*

DATE. 1877.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES
June 22	10570	Legation at Chefoo.	Claims for damages at the riot of 1874.	
" 23	10571	Taotai Shanghai,	Cancelment of Deeds No's. 268 & 270.	
" "	10572	U.S. Minister Chefoo.	Letter about the Chefoo Convention.	
" "	10573	Dept. of State Washington.	" " " "	
" 26	10574	Mixed Court Magistrate Shanghai.	Jin-Rick-Sha rules.	
" "	10575	Municipal Council "	Sending copy of dispatch on the above subject.	
" 28	10576	Mixed Court Magistrate "	Request to summon witnesses.	
" 28	10577	Mackenzie & Co. Shanghai,	Mr. M. H. books sale.	
" 29	10578	H. Messenger. San Francisco.	Reply to his letter Asking for H. H. Messenger,	
" "	10579	Dept. of State, Washington,	About dispatch No. 61. Ch. of Commerce meeting.	
" "	10580	Henry Finegal, San Francisco,	Information about Frederick Jerome.	
" "	10581	Collector of Customs, Boston,	14 Triplicate Invoices.	
" "	10582	" " San Francisco,	29 " "	
" "	10583	" " Newyork,	34 " "	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* 30th June *1877.*

DATE. 1877	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES
June 29	10584	Department of State, Washington,	Acknowledging receipt of circular of 14th May.	
" "	10585	U. S. Legation, Chefoo.	Chinese Theatres at Chinkiang.	
			United States Consulate General,	
		E. & O. E.	Shanghai, June 30th 1877	

for which a visa is given.	DESCRIPTION.									Signature of the person to whom the passport is granted.	REMARKS.
	Age.	Stature.	Foreh'd.	Eyes.	Nose.	Mouth.	Chin.	Hair.	Comp'n.		
	39	5:9	High	Blue	med.	med.	Round	Br.	Fair		Resident in Shanghai for seven years.
	29	5:7	med	Br.	Large	Expressive	Small	Br.	Light		Resident at Swatow

U.S. Consulate General,
Shanghai: July 18th 1877.
O. B. Brazier
Vice Consul General.

1877 Return of PASSPORTS. 1st and 2nd Quarters 1877.

No.	Date.	NAME.	Last residence.	Place of birth.	Profession.	Evidence upon which the p is granted.
212	Mch. 13	W. S. Fitz	Brookline	Chelsea	Merchant	Oath & Regist
213	June 18	W. R. McKibben and wife	Lima Ohio	Lima Ohio.	Missionary	Oath.

Original.

RETURN OF ~~CRIMINAL~~ Police CASES HEARD IN THE COURT OF THE UNITED STATES CONSULATE GENERAL, AT SHANGHAI, CHINA.

From the First day of April to the Thirtieth day of June 1877, inclusive.

CASE.	DATE OF FIRST PROCEEDINGS.	NAME OF PRISONER.	CHARGE.	BY WHOM BROUGHT.	JUDGMENT.	AMOUNT OF FINES IMPOSED.	AMOUNT OF FEES CHARGED AND RECEIVED.	DISPOSITION OF FINES AND FEES.
	April 13th	Henry Bremigam.	Desertion from the bark "Agate"	Captain Brown of bark "Agate."	Committed for 6 weeks on bread and water diet, and hard labor.			
	" "	John Nulty.						
	April 19th	William Stevens (of U.S.S. "Palos".)	Drunk and incapable	P.C. Jones.	Committed and Captain of "Palos" advised.			
	May 15th	John Neilson.	Desertion from U.S.S. "Monocacy"	P.C. Stein.	Committed and Captain of "Monocacy" advised.			
	May 15th	John Lexis.	Desertion from U.S.S. "Monocacy."	P.C. Stein.	Committed and Captain of "Monocacy" advised.			
	May 31st	H. Bremigam.	Drunk, incapable, and destitute.	Municipal police.	Committed to Jail to get sober.			
	June 6th	E.W. Blackwood.	Indecent assault on a Chinese woman in a railway car, and threatening the employees of the rail road.	A Chinese woman, And two employees of the Woosung Rail Road.	Committed for 60 days, with hard labor.			
	June 6th	E.W. Blackwood.	Assault upon the Marshal, while in execution of his duty.	R. Phoenix.	Term to begin on expiration of former sentence. Committed for 30 days on bread and water diet.			
	June 15th	John Holmes.	In need of medical attention.		Committed and Jail Physician notified.			
	June 19th	Lorenzo Hansen.	Desertion from U.S.S. "Palos".	P.C. Stein.	Committed and Captain of "Palos" advised.			

Richard Phoenix.

Marshal of the Consular Court

COURT OF THE UNITED STATES CONSULATE GENERAL AT S

Return of Civil Suits from the 1st day of April to the 30th da

OF CASE.	DATE OF FIRST PROCEEDINGS.	NAME AND NATIONALITY OF PLAINTIFF.		NAME OF DEFENDANT.		NATURE OF SUIT.	JUDGMENT.	AMOUNT OF FINE IMPOSED.	AMOU A
607		Pending from last quarter,					Pending		
616		"		"			"		
618		"		"			"		
621		"		"			"		
622		"		"			Settled		
625		"		"			Pending		
627		"		"			"		
629		"		"			"		
630		"		"			For Defft.		
631		"		"			Pending		
632		"		"			"		
633	June	6	Ming Kee	Ch	Amy Jurado.	Contract	"		
634	"	7	Kong Jon Sam	"	Amy Jurado.	"	"		
635	"	14	Kate Jennys	Br	K. Bidleman	"	Withdrawn		
636	"	21	Watson & Co.	"	W. B. Bain.	"	Compmd		

E. & O. E.
U.S. Consulate Gen
Shanghai. June

[Form No. 124.]

OF THE UNITED STATES CONSULATE GENERAL AT SHANGHAI CHINA.

Suits from the 1st day of April to the 30th day of June 1877, inclusive.

NAME OF DEFENDANT.	NATURE OF SUIT.	JUDGMENT.	AMOUNT OF FINE IMPOSED.	AMOUNT OF FEES CHARGED AND RECEIVED. Hearing.	DISPOSITION OF FINES AND FEES. Associates. Clerks. Marshals. Interpreters.	APPEAL.
Cost Quarter,		Pending				
"		"				
"		"				
"		"				
"		"				
"		Settled		8 90	3 90 5‘ "	
"		Pending				
"		"				
"		"				
"		For Deft.		58 51 5‘ "	42 41 11 10	
"		Pending				
"		"				
Amy Jurado.	Contract	"				
Amy Jurado.	"	"				
K. Bidleman	"	Withdrawn		32 20	22 " 10 20	
W. B. Bain.	"	Confirmed		18 39	16 14 3 28	
				11 800 5‘ "	8445 28 5‘5‘	

E. & O. E.
U.S. Consulate General.
Shanghai. July 18th, 1877.

O. B. Nash
Vice Consul General

UNITED STATES' CONSULAR JAIL, SHANGHAI,

REPORT FOR MONTH OF April 1877.

No. from last Report 4.
" admitted during month 3.
Total 7.

No. discharged during month 2.
" remaining 5.
Total 7.

No. of days served during previous months 317.
" " " " past month 132.
Total to date 449.

Richard Phoenix
Marshal of the Consular Court.

NUMBER	NAME.	WHEN ADMITTED.	TERM.	WHEN DISCHARGED.	NO. OF DAYS.	REMARKS.
49.	Theodore W Eckfeldt.	April 6th " 1876	3 years.		30.	Clerk. Russell & Co.
100.	Thomas Henry Brown.	Dec" 11th "	1 Year.		30.	Pilot. P.S.N. Co.
14.	Frederick Mauer.	March 15th "	4 months.		30.	prisoner from German Consul.
15	Robert Gracey.	March 23rd "		April 5th "	5.	Vagrant. Shipped.
16.	Henry Bremigam.	April 13th "	6 Weeks.		18.	Seaman. Bk "Agate."
17.	John Nulty.	April 13th "	6 Weeks.		18.	" " "
18.	William Stevens.	April 18th "		April 18th "	1.	" U.S.S. "Palos."
					132.	

UNITED STATES' CONSULAR JAIL, SHANGHAI,

REPORT FOR MONTH OF May 1877.

No. from last Report 5.
„ admitted during month 4.
Total 9.

No. discharged during month 5.
„ remaining 4.
Total 9.

No. of days served during previous months 449.
„ „ „ „ past month 145.
Total to date 594.

Richard Phoenix
Marshal of the Consular Court.

Number	Name.	When Admitted.	Term.	When Discharged.	No. of Days.	Remarks.
49.	Theodore W Eckfeldt.	April 6th 1876.	3 Years.		31.	Clerk. Russell & Co.
100.	Thomas H. Brown.	Decr 11th 1876.	1 Year.		31.	Pilot. L.S.N.Co.
14.	Frederick Mauer.	March 15th.	4 Months.		31.	prisoner from German Consul.
16.	Henry Bremigam.	April 13th	6 Weeks.	May 25th	24.	Seaman bk "Agate"
17.	John Nulty.	April 13th	6 Weeks.	May 25th	24.	Seaman bk "Agate."
19.	John Neilson.	May 15th.		May 15th	1.	Seaman U.S.S. "Monocacy"
20.	John Lewis.	May 15th		May 15th	1.	Seaman " " "
	Carried Over				143.	

REPORT FOR MONTH OF May, 1877. (CONTINUED.)

NUMBER.	NAME.	WHEN ADMITTED.	TERM.	WHEN DISCHARGED.	NO. OF DAYS.	REMARKS.
	Brought Over				143.	
21.	William L. Bird.	May 13th.		May 15th "	1.	2nd " mate, "R. Flicking
22.	Henry Bremigam.	May 31st			1.	Vagrant.
					145.	

UNITED STATES' CONSULAR JAIL, SHANGHAI,

REPORT FOR MONTH OF June 1877.

No. from last Report 4.
" admitted during month 3.
Total 7.

No. discharged during month 2.
" remaining 5.
Total 7.

No. of days served during previous months 594.
" " " " past month 144.
Total to date 738.

Richard Phoenix
Marshal of the Consular Court.

NUMBER	NAME.	WHEN ADMITTED.	TERM.	WHEN DISCHARGED.	No. OF DAYS.	REMARKS.
49.	Theodore W. Eckfeldt.	April 6th " 1876.	3 Years		30.	Clerk. Russell & Co.
100.	William H. Brown.	Dec. 11th " 1876.	1 Year		30.	Pilot. P.S.N. Co.
14.	Frederick Maurer.	March 15th "	4 Months.		30.	prisoner from German Consul.
22.	Henry Bremigam.	May 31st "	1 day.	June 1st "	15.	Destitute. Seaman.
23.	Edward W. Blackwood.	June 5th "	3 Months.		26.	Tavern keeper at Woosung
24.	John Holmes.	June 15th "		June 16th "	1.	Destitute. Seaman.
25.	Lorenzo Hansen.	June 19th "			12.	Deserter U.S.S. "Palos"
			Approved [illegible]		144.	

REPORT FOR MONTH OF _____ 187 . (CONTINUED.)

NUMBER.	NAME.	WHEN ADMITTED.	TERM.	WHEN DISCHARGED.	NO. OF DAYS.	REMARKS.

Report of Consular Correspondence received at and transmitted from the United States Consulate General at Shanghai, to the Department of State Washington during the 2d Quarter 1877.

Amoy.

Date	No.	No of Inclosures	Address	Received at Consulate General	Forwarded to Washington.
March 31/77	130	4	Dept. of State.	Apl. 9. 1877	Apl. 13. 1877
" "	131	1	" "	" " "	" " "
April 2. "	132	1	" "	" " "	" " "
May 9. "	133	0	" "	May 21 "	May 22 "
" 16. "	134	0	" "	" 19. "	" " "
" 21. "	135	0	" "	" 28. "	June 15. "
" 28. "	136	1	" "	June 11. "	" 14 "
" " "	137	0	" "	" " "	" "
" " "	138	0	" "	" " "	" "
June 4. "	139	0	" "	" " "	" "

Chinkiang.

Date	No.	No of Inclosures	Address	Received at Consulate General	Forwarded to Washington.
April 1. 1877	72	3	Dept. of State	Apl. 4. 1877	Apl. 4. 1877
" "	73	8	" "	" " "	" " "
" "	74	0	" "	" " "	" " "
" 10. "	75	0	" "	" 12. "	" 13. "
May 10. "	76	0	" "	May 14. "	May 15. "

Canton.

Date	No.	No of Inclosures	Address	Received at Consulate General	Forwarded to Washington.
April 7. 1877	29	1	Dept. of State.	Apl. 18. 1877	May 2. 1877
" " "	30	4	" "	" " "	" " "
May 12. "	31		" "	May 28 "	June 15. "
" 14. "	32		" "	" " "	" " "
" 25. "	33	5	" "	June 13. "	" 14 "
" 30. "	34		" "	" "	" " "
" " "	35		" "	" "	" " "

Foochow.

Date	No.	No. of Inclosures	Address	Received at Consulate General	Forwarded to Washington
Mch. 31. 77	181	4	Dept. of State	Apl. 14. 1877	Apl. 30. 1877
" " "	182	1	" "	" " "	" " "
" " "	183	1	" "	" " "	" " "
Apl. 3. "	184	0	" "	" " "	" " "
May 22. "	185	0	" "	May 28 "	June 15 "
" 31. "	186	0	" "	June 14 "	" 20 "
June 1 "	187	0	" "	" " "	" " "

Hankow.

Apl. 19. 77	7	3	Dept of State	April 28. 1877	May 2. 1877
" " "	8	1	" "	" " "	" " "
" 24. "	9	0	" "	" " "	" " "
" 25. "	10	3	" "	" " "	" " "
" 28. "	11	2	" "	May 4 "	May 15 "
May 21. "	12	0	" "	" 26. "	June " "
" 22. "	13	0	" "	" " "	" " "
" " "	14	0	" "	" " "	" " "
" " "	15	0	" "	" " "	" " "
" 25. "	16	7	" "	" 28 "	" " "
" 26. "	17	0	" "	" 29 "	" " "
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Feb 26. 77	138	5	Dept. of State	Apl 4. 1877	Apl. 4. 1877
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ate	No.	No of Inclosures	Address.	Received at Consulate General	Forwarded to Washington.	
6.12'77	119	0	Dept of State	April 13. 1877	April 13. 1877	
" "	120	0	" "	" " "	" " "	
" "	121	3	" "	" " "	" " "	
" "	122	2	" "	" " "	" " "	
" "	123	2	" "	" " "	" " "	
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Apl 2.77	142	4	Dept of State.	Apl. 10. 1877.	April 13. 1877	
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May 2	"	4	" "	May 15. "	May 30. "	

United States Consulate General.
Shanghai, June 30th 1877.

E.&O.E.

O. N. Brady
Vice Consul General.

Mr Kerto.

Ack Sept 10.

DEPARTMENT
RECEIVED
SEP
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1877
OF STATE

No. 93. United States Consulate General.
Hiogo, July 25th 1877.

Mr Bradford to The Department of State.

Subject:

Receipt of instruction No. 36.
and of Circular of 24th May.

No. 93.

U. S. Consulate General.
Shanghai. July 20th 1877.

Honorable J. A. Campbell.
Third assistant Secretary of State.
Washington.

Sir:

In response to instruction No. 36. which I have had the honor to receive, I have to say that dispatch No. 67 seems to be the one referred to by Mr. Myers in his communication to you of the 11th April. The record thereof bears date 28th March. the day after his suspension. Upon the completion and his signing the dispatch named. it was handed to me. and placed in the Department pouch. The department mail left here on the 31st March. It left on the 4th April.

I have also to own receipt of Circulars No. 10th of 24th May.

I am. Your obedient Servant.

O. B. Bradford
U.S. Consul General.

ack Sept. 10

Com/ Ack The question of salary will be considered when referred to the Dept by the Treasury Dept & Dept

No. 94. United States Consulate General,
Shanghai, July 25th 1877. ack Sept 10
Mr. Watson. To the Department of State.
Subject: Mr Hale

Receipt of Instruction No. 37.
Advises his taking charge as Con Genl
from 28th March.

Abstract of Contents.

Asks that salary be allowed
him from 28th March. Incloses a
press copy of certificate signed by
him and the Minister. Remarks
the feelings of gratitude with which
the news that the Department
had instructed the Minister in his
suspension of Mr. J.C. Myers was
received in the Community.

No. 94.

U. S. Consulate General.
Shanghai. July 25th 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir:

I have had the honor to receive your instruction No. 37 announcing that the proceedings of Mr. Minister Seward in suspending Mr. John C. Myers on the 27th day of March have been approved by the State Department, and that I have been directed to assume the duties of the office as Vice Consul General.

I took charge on the 28th March, as advised in my dispatch to you of that date, No. 68. I inclose a press copy of a joint Certificate signed by the Minister and myself in the spirit of Form No. 5. of the Consular Regulations. the original which I have sent with my account for salary and fees to the Honorable

7/7/6

Fifth Auditor of the Treasury.

I have made up my account for salary and fees from the 28th day of March to 30th June. and forwarded it to the Honorable Fifth Auditor of the Treasury. and I respectfully ask that you will allow to me the whole salary from the date I took Charge. My position here since that date has been a peculiarly trying one. and vouching for the efficiency of the service. and my Conception of my real duty to the Government and our people. would lead me again to assume such an experience.

I deem it appropriate to remark in this Connection the feeling of gratitude on the part of every respectable member of this Community with which the announcement was received that Mr. Seward has been restored by the Department in his suspension of Mr. Myers for having

having instituted a libelous attack upon the Ministers in the Columns of the "Evening Courier" of the 21st February last.

I am.

Sir.

Your Obedient Servant.

O'Donnell

"Evening Journal."

Inclosure

Certificate in the Writ of Town No. 6. Common Regulations dated 28th March. signed by Mr. Devine and Mr. Bradford.

United States Consulate General.
Memphis, March 28th 1877.

We do hereby Certify that on the
27th day of March, 1877, the services
of John C. Meyers Esq. ceased, under
an order by the Minister suspending him, and he is
entitled to his salary or fees
including said day; and that
the services of D. B. Bradford
Vice Consul General, Commenced
this 28th day of March. 1877.
he having assumed the archives.

George F. Seward.
U. S. Minister,

D. B. Bradford
Vice Consul General.

Mr Kerlo

ack Sept 10

DEPARTMENT OF STATE
RECEIVED
SEP 7 1877

No. 95. U. S. Consulate General.
Shanghai. July 28th 1877.

Mr. Bradford. to the Department of State.

Subject:

Postal agency accounts.

Abstract & Contents.

Sending Mr. J. C. Myers' accounts as Postal agent for 3rd & 4th Quarters 1876. and to 27th March 1877. assigned. Covered by dispatch No. 153 to Dept. of Foreign Mails. Stokes balance due from the government as $40.26.

Copy to P.M.G. & ofc Sept 10.

No. 95.

U. S. Consulate General.
Okanagai. July 25th 1877.

Honorable J. A. Campbell
Third Assistant Secretary of State.
Washington.

Sir:

Inclosed I have the honor to hand you Mr. J. C. Myers' accounts as postal agent for the 3rd and 4th quarters 1876. and from January 1st to 27th March. 1877. showing a balance due him from the government of $ 408.34/100 The accounts are unsigned by him.

I am. Sir.
Your obedient Servant

[illegible]
[illegible]

Inclosure.
Despatch to Supt. of Foreign Mails. No. 159. and its inclosures.

ack Sept 27
copy to Treasy
April 7

DEPARTMENT
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SEP
7
1877
OF STATE

No. 96. U. S. Consulate General.
Shanghai. July 25th 1877.

Mr. Graham. to The Department of State.

Subject- The Register of the "William Phillips".

Abstract of Contents:

Incloses the Certificate of Registry of the "William Phillips" of New Bedford. under an instruction from The Legation.

No. 96.

U. S. Consulate General.
Hiogo, Japan. July 25th 1877.

Honorable J. A. Campbell
Third Assistant Secretary of State.
Washington.

Sir:

I have the honor to transmit herewith the certificate of Registry of the schooner "William Phillips" of New Bedford. "Permanent No. 26. Official number 80406: tonnage 59 91/95. The Certificate has been defaced by ink and otherwise.

I am - Sir.
Your obedient Servant.
[illegible]
U.S. Consul General.

Inclosure.
Certificate of Registry of "Wm Phillips".

Ack Sept 27

File Dec 12 1877

DEPARTMENT OF STATE RECEIVED SEP 7 1877

No 97. U. S. Consulate General.

Shanghai. July 31st 1877.

Mr Bradford to the Department of State.

Subject: Nomination of Interpreter at Chinkiang by Gen. Colby.

Abstract & Contents.

The Vice Consul General cannot approve the nomination of Gen. David Alfred Emery as Interpreter at Chinkiang. Gives reasons for withholding his approval.

Approves nomination of Mr. Charles A. Smith as Constable.

Via R. J. Williams. Resigned.

Transmits Copy of this dispatch to Legation. and press Copy to Mr. Colby for his information.

No. 97.

United States Consulate General.
Okanagai. July 21st 1877.

Honorable J. A. Campbell
Third Assistant Secretary of State.
Washington.

Sir:

Referring to Mr. Colby's dispatch to you No. 78. I have the honor to day. That I cannot approve his nomination of Mr. David Alfred Emery as Interpreter for the Consulate at Chinkiang.

In 1873 or 1874 Charges were made by the Chinese authorities against Mr. Emery, which were duly investigated and reported upon to the Department by Mr. Seward. After approving the Course of the Consul General, the Department says in its instruction No. 414. dated October 8th 1874. "the Department is of "opinion that a further employment" of

No. 71.

Letter from Consul General,
Cleveland. Aug 4th 1871.

Consulate U.S. Consul
Gen'l Cleveland Aug 4th.
Cleveland.

Sir:

Replying to your
favor of the 3rd inst. I have to
say, that I cannot supply
the information you desire. Should
either Consul or Vice Consul
for Canada at Quebec visit
Montreal during the
year I will endeavor to
obtain information as to Reports
issued. Other information the
Consul in Montreal can
probably give you is the
number of the Militia called out
in 1838, "the Rebellion" in
Lower Canada [illegible]

"of Mr Emery in the Courtesy unless
"absolutely necessary, is exceedingly
"undesirable".

From my knowledge of
Mr. Emery's position, his reputation
and habits of life since 1874.
I cannot suggest to the Department
its consideration anew of the question
of his eligibility to any employment
by the Government, and particularly
as a medium of official
Communication between Government
officials. The record in his late
scheme to conduct in his name
a Chinese Theatre at Chinkiang,
and the ruling of the Minister
upon Mr. Colby's report to him
of the whole case, lately forwarded
to the Department by the Minister,
will indicate that I am not
without cause for acting
cautiously in the premises.

It is more than likely
that another native, competent
to the duties, can easily be found
to take the place of Ching, resigned. I

I have not heard that he was incompetent to any duties in his department. The work of an interpreter at Chinkiang is very light. Mr. Emery is the only american resident there besides the Consul. who is not in foreign employ. and it is well known that his interests are largely if not wholly in Chinese favor.

For these reasons. without offering details. I cannot approve Mr. Colby's nomination of Mr. Emery. there being no evidence present that it is "absolutely necessary."

I will transmit a copy of this dispatch to the Legation. and forward a press copy thereof to Mr. Colby for his information. as he has made no official communication to me in forwarding his nomination to the Department.

Touching the subject of Mr

Mr Colby's dispatch No. 79. I have the honor to hereby approve his nomination of Mr. Charles A. Smith as Constable in place of Mr. R. J. Williams, resigned.

I am,

Sir,

Your Obedient Servant,

[signature]

Vice Consul General.

Cons/N ack not of instruction
Ack Sept 27

DEPARTMENT RECEIVED SEP 7 1877 OF STATE

Mr Kyte.

No. 98. United States Consulate General,
Shanghai, 31st July 1877.

Mr. Bradford to the Department of State.

Subject.

Attempted Incendiarism at the United States Consulate General.

Abstract of Contents.

Incloses reports upon the fire and statements from the officers making the investigation—together with a statement of Capt. Rowse touching Mr. Myers telegram to the State Department.

No. 98.

United States Consulate General,
Shanghai, 31st July 1877.

Honorable, John A. Campbell,
Third Assistant Secretary of State,
Washington,

Sir,

Reverting to my dispatch No. 90, I have now the honor to report that upon coming from my sleeping room at the Consulate from dining with Mr. Holcombe at the "Astor House" on the evening of Thursday the 5th day of July instant, the night-watchman of the Consulate apprised me that about 8.15 o'clock that evening he had discovered smoke issuing from, and light shining through, a window in the second story of the Consulate building, and adjoining my sleeping room; that upon its discovery he at once gave an alarm to the jailor who with him went up stairs, and found a side door to the stationery room, unlocked; entering which they found a fire burning on the floor thereof, and that they had extinguished

extinguished it with a basin of water obtained from my room. An entrance had been effected by means of a false or stolen key into the apartment at the north eastern corner of the building,-which is in use as a stationery room. A fire had been kindled on its floor near a set of shelving and close beside a ream of heavy wrapping paper. A piece of the "Philadelphia Press" of 24th January 1877, and two or more pieces of local papers formed a part of the kindling material. I at once inspected the premises and found that no provision had seemingly been made to supply food for the flames in their ascent; and I think the fire would have died out of itself, had it not been discovered. In this view and from other impressions and convictions I think there was no intent to destroy the building, but that the motive was purely a malicious one. The incendiary may have been concealed in the Stationery room from the close of office hours. He thus could have escaped after the kindling of the fire, by the front door, which opens from the outside

outside by a dead-latch key, and from the inside by a latch without the use of any key. There were originally two keys only to the dead latch, both of which have been in my possession for months, a third one was made and has been lost for some time. Mr. J.B. Myers had a fourth one made for his own use, and to this date it has not been handed over by him to me, or to any one who should be possessed of it.

Mr. Myers seems to have seized upon the fact of the incendiarism with peculiar delight and great avidity, for the next morning a gentleman called upon me and told me that Mr. Myers had just informed him that he (Myers) had "fixed them", and had that day telegraphed to the Department at a cost of over One hundred dollars, that an "attempt had been made to burn the Consulate and that O.B.B. was strongly suspected."

Had there been an intent to destroy the building, it is reasonable to suppose that the fire would have been set in a quarter where there was food for flame, or combustibles at hand would have been placed within its

its reach.

I inclose Mr. Holcombe's statement of our dining together; statements taken from the watchman, and a neighboring gatekeeper; the reports of the jailor, Mr. Ring, and of Messrs Phoenix and Stripling, who have been engaged in investigating the matter; also the statement of Captain Rouse relative to the telegram sent to the Department.

From much personal attention given to the matter, from the statements inclosed and conversations with the officers named, I see no chance of arriving any nearer to a solution than has already been done.

I will send a copy of this report to the Legation.

I have the honor to be, Sir,

Your obedient servant.

O. J. Wallace

Vice Consul General.

Inclosures.—

1 Memorandum by Mr. Holcombe.
2 Statement of Laou tie. Watchman,
3 " " Chong singz. Gateman,
4 " " Mr. Ring - Jailor,
5 " " " Phoenix -
6 " " " Stripling.
7 " " Captain Rouse,

Exhibit No. 1

Memorandum.

In accordance with an invitation given before the 3rd instant, Mr. Bradford dined with me at the "Astor House" Thursday evening July 5th.

We entered the dining room in company with Captain and Mrs. Wise at 7.35 o'clock. Among other persons in the room when we entered I noticed John C. Myers. I was careful to watch Mr. Myers a little closely, in order to see whether he would remark Mr. Bradford's presence at our table. In that way I came to notice that he seemed to eat but little and left the table and the dining room at about ten minutes before eight.

We remained at the table until nearly half after eight, when we all adjourned to Captain Wise's room where we spent the evening. Mr. Bradford took his leave at

or

or about half past ten. Between the hour of half past seven and that above named he was not out of my sight for an instant.

Friday morning upon going to the Consulate I generally learned from Mr. Bradford that an attempt had been made the evening before to burn the building. As I had two Chinese attendants who slept in a small room in the rear of it, it seemed desirable to learn what they knew about the occurrence, particularly as being unable to converse with the Chinese boys upon the premises it was safe to presume that they could not be in collusion with any of them. I accordingly questioned them with care and learned that they returned to the Consular premises from their evening meal about seven o'clock. Being unable to get into their room because the

servant

servant who had the key was absent, they walked up and down the yard together. There were no persons in the yard besides themselves and the watchman. At about 10 minutes past eight, as they were speaking of the height of the building and naturally looking up to its roof, they noticed a light shining through the closed shutters of a window on the second floor. The light did not burn steadily but flickered. They attracted the watchmans attention to it who was much alarmed and ran to ring the fail bell and call for help. The sailor came at once and he and the watchman went together and unlocked the rear door of the building, ran up stairs and took measures to put out the fire.

After the sailor had come into the back yard of the Consulate, and entered the building two Chinese also came into the

back

back yard. My servants did not know who they were but conjectured that they were servants employed in the jail.

Chester Holcombe

Shanghai July 13th, 1877

Deposition of Chang Lao-tie watchman at the United States Consulate General at Shanghai.

My name is Chang Lao-tie. I am a native of Pihtung, and am forty-four (44) years of age. I have been watchman at the Consulate General for two years and a half. My duty was to watch the gate of the yard on the north side of the office, and see who came in and went out. and at nine o'clock in the evening it was my duty to lock the gate and also to lock the back door of the office building. The front door of the office building had a night latch and when shut could not be opened from the outside without a key. It was not my duty to look after the front door of the office building. Mr Bradford had a key with which he was in the habit of letting himself in at the front door. It is also my duty to hoist the flag at ~~seven~~ (6) o'clock in the fore noon, and haul it down at four o'clock in the afternoon. I have no occasion to go through the gate leading to the Yard in front of the dwelling house. It was habitually kept locked, and could not be opened without getting the key from Mr Bradford. Kindling

has got the key from Mr. Bradford once or twice lately to let Mr. Holcombe's Nurse come in. Lau. Levei has also got it once or twice for the same purpose. I did not see any strangers come in or go out of the building or yard in the afternoon or evening of the fire. I was sitting in the yard in company with the two Pekingese to get the breeze. I saw a light in the empty room. and knowing that there was no one inside the building. I went in and went up stairs, and tried to open the door of the empty room, but was unable to do so, and knocked, but received no answer. I then went and rang the doorbell of the jailer's Quarters to call him. The jailer then came with me, and we two went up together. The jailer tried to open the door with his own key, but was not able. He then tried the door of the small room next to the room referred to, and found it not locked. and went in through that room into the other room, which we found full of smoke and fire, and I then ran into Mrs. Bradford's bedroom, and brought out a basin of water, with which we put out the fire. The jailer then went and called the inspector of police. who came bringing two native police men. They all went up stairs, and

examined the room where the fire was, and then searched the whole house. Mr Bradford had gone out to dinner I do not know where. He came back at eleven o'clock. When I first saw the light in the empty room, it was about quarter past eight in the evening.

Ching Kao'tê + his mark

witness signing Mrs Shia Shih kiun (KIUN)

D Bethune McCartee

Acting Interpreter.

Inclosure No. 3

Deposition of Chow Lingzi, porter
in the employ of Mr Olyphant —
My name is Chow Lingz, a native of
Shihsien Dis in the District of Shanghai,
I am thirty eight years of age. I have
been porter to the premises now occupied
by Mr Olyphant for more than two years,
having been engaged first by Mr Seward
who had previously employed me as a gardener
at his wooden house. My business is to
take care of the garden and to watch the
gate of the premises now occupied by Mr.
Olyphant. I have not been in the
habit of coming into the Consulate
General through the gate between
that office and Mr Olyphant's house,
because that gate has always been kept
shut since Mr. Olyphant has lived on
the premises. It is locked on the north
side. I came into the office just now
through the front door. The glass
doors open upon the Olyphant's garden,
but they are shut by the Consulate
servants every afternoon after they
have swept and wiped the floors of the
offices, and are not opened, to my knowledge,
until the next morning. Mr Seward
was not in the habit of coming in at
the front door of the office after office
hours. I do not know how Mr. Bradford
has been in the habit of coming in at
nights. I should not be able to see if
any one should come into the office by
the front door. I know nothing of the

fire in the upper story of the Consulate General until the next morning. Mr. Holcomb has entered and gone out a few times through the gate of Mr Clapphant's premises. My servants kept me inside of the garden I could not see if there were any persons a coming in or going out of the Consulate General in the evening - The servant Lao tie told me at 7 o'clock on the morning of the July 6th that there had been a fire in the empty room up stairs. I said how did it take place, he said he did not know -

Chow Ling 3 + his mark

Attest D B Thurston Jr Consul
14th July 1877 -

Enclosure No. 4,

Memorandum:

At fifteen minutes past eight, on
evening of July 5th. the watchman belonging
His Consulate General rang my bell, and in-
med me that he had just then seen a light in the
e room in the second storey of the main consulate
ding. This occurrence was so unusual that I
ediately went to the store-room with the watchman.
back outside door of the building was not lock-
I found the door, leading from the hall up-
irs, directly into the storeroom, locked: but got
the room through an ante-room, the outer and
er doors of which were not locked, though closed,
inner door having a copper key in the lock,
the ante-room side of the door. The store-room
found filled with smoke, and upon entering
und that a bale of paper, which was lying flat
the floor, under a bench or table in the center
the room, was on fire. We immediately dragged
burning bale out into the hall, and there put out
fire, with a bowl of water brought from Mr. Brad-
's bed-room. We carried the damaged bale of
er down to the back yard, after which we re-
ned to the store-room, and opened a window, to
w the smoke to clear away, and lighted a jet
as. We then found, on the floor, near the place
e fire, a box of Bryant & May's non-combustible
afety matches, and also several matches strewn
ut which had been struck off. Besides these there
e pieces of newspapers, partly burned. We then
t up the room, and went all over the build-
but found nobody. I then gave information
the Hongkew Police Station and Inspector A.
ings with several Chinese detectives, returned

d me to the Consulate, and was shown over
premises. The Inspector and I found all the
dows and the front door locked, and the
k door was the only unlocked entrance to the
ding when we made the examination.

The table under which the fire started, was
d with a shelf underneath, and this and the top
e table were loaded with blank writing paper, wrap-
paper, boxes of envelopes, files of newspapers, and oth-
inflamable material; and it is my opinion that
d the fire been allowed to burn twenty minutes
er, the whole room would have been in flames.
e is no doubt in my mind that the fire was the
k of an incendiary, and of one too familiar with
premises; for the passage through the ante-room
cloaked up with boxes, a stove, and rubbish,
h would have bewildered a person unacquainted
the place.

D.B. Ring.
Keeper of U.S. Consular Jail.

anghai. China. July 12. 1877

Inclosure No. 5.

United States Consulate General
Shanghai, July 25th 1877.

O.B. Bradford Esq.
Vice Consul General.
Shanghai —

Sir;

According to instructions received from you, I submit the following statement as the result of my investigation concerning the fire which occurred in the Consular Building on the evening of the 5th. instant.

Very little can be shewn up to date, which might be regarded as a clue.

That the fire was started by some person who had a knowledge of the building, as well as of the habits of yourself as the occupant of a — sleeping room therein, there is little doubt. But as suspicion pointing to any one, in particular, as the incendiary would be unjust, I refrain

from giving you my suspicions until I can procure more substantial — and better founded evidence than I have at present.

I Am,

Sir,

Your obedient Servant.

Richard Rhomis.

Marshal.

Inclosure No 6.

T. B Bradford Esquire
Acting Consul General
U. S. America

Sir.

Referring to the attempted incendiarism at the U.S. Consulate General on the 5th inst, I beg to report, as the result of immediate and careful examination of the premises, and enquiry that I have personally made into all the circumstances of the case, that I have come to the conclusion.—

1st That the Stationary-room, in which the fire occurred, is always kept locked, and on the day in question, was not lawfully entered until after the fire was discovered.

2nd That the fire was discovered at a quarter past Eight in the evening of the 5th inst, by the watchman

who observed a light in the room, and
immediately alarmed the gaoler, Mr
Ring, who hastened to the spot, and
having gained access to the premises
extinguished the fire before much
damage was done.

3rd That as soon as possible after the
fire was put out, Mr Ring came to the
station, and gave information of the
fire to the officer on duty, who at
once reported it to me.

4th That the fire was the deliberate
act of an incendiary, who had
provided himself with duplicate
and false Keys to open the doors
and newspapers, and had attempted
to fire the stationary. One of the false
Keys was left in the door leading from
the store-room into the Stationary room
it is made of brass, and looks as if the
incendiary had carried it for some

considerable

considerable time, in his pocket.

The portions of newspapers which were left unconsumed, including scraps of "The Press — Philadelphia Wednesday January 24th 1877," found on the floor in the stationary room, were carefully collected and are in my possession.

5th That the incendiary was a foreigner - well acquainted with the interior of the building, - and who watched his opportunity, when nearly every foreigner in the settlement was at dinner, and the streets deserted, to sneak into the Consulate by the front door which was the only way he could get in, unobserved.

6th That plunder was not the object of the incendiary and the removal of the small trunk from

from the Stationary Room to a
Room on the ground floor was
divert suspicion from the rea
incendiary and to fix it on
the Chinese Office Coolies.

In conclusion, I regret to add, t
we have not yet succeeded in obta
evidence sufficient to justify us
in charging any one with the commis
of the crime, but you may be assu
that the case will continue to receiv
our best attention, and that I will k
you informed of the result of o
enquiries.

I have the honour to remain
Sir
Yours obedt Se

Signed R. Stripling

Police Station Hong Kong
24th July 1894.

Inclosure No. 7

Statement of Captain Rouse.

I am an American citizen and an old resident of Shanghai. I know John C. Myers. On the 6th day of July instant I was coming out of the "Astor House" Shanghai. Myers approached me and said to me. "Joe fixed them now" to which I responded. "how is that. Myers replied that he had telegraphed to the Department that an attempt had been made to burn the Consulate: O.B.B. strongly suspected. and that the telegram had cost him (Myers) over one hundred dollars. I replied that I thought he had done very wrong and that every well thinking citizen in the place would think so too. Myers replied no. that he knew what he was about. I then told Myers that he ought to be locked up in an insane asylum. and he repeated in a half drunken sort of laugh that he knew what he was about.

After a few other remarks I left him on the steps of the "Astor House".

Myers also told me that he had sent to Washington for Mr. Caldwalader to come to Shanghai to investigate his case and that he was now in Japan.

Joseph Rouse

Shanghai. July 16th 1877.

Ackgd & Col'y to Secy Sept 27

DEPARTMENT RECEIVED SEP 24 1877 OF STATE

No. 99. U. S. Consulate General.

Shanghai. August 14th 1877.

Mr. Bradford to the Department of State.

Subject: Mr. Henderson's No. 145.

Abstract of Contents.

Refers to the Consul's No. 145; and incloses a copy of the Vice Consul General's No. 208 to Mr. Henderson stating the Custom observed here in transmitting "Collectors Copies" of entered invoices.

United States Consulate General.

No. 99. Shanghai, August 14th 1877.

Honorable J. A. Campbell
Third Assistant Secretary of State.
Washington.

Sir:

Touching the subject of Mr Henderson's dispatch No. 140: I have the honor to inclose herewith a copy of my No. 208 addressed to him, reciting the custom of merchants at this port, and of this office, in respect to forwarding "Copies" and "Collectors" Copies of certified invoices, Covering merchandize Shipped to Eastern ports via San Francisco.

I am, Sir,
Your Obedient Servant,
O. F. Nankivell
Vice Consul General.

Inclosure
Mr. Nankivell to Mr Henderson No. 208 (Copy)

Copy.

No. 208. U. S. Consulate General.
Shanghai. August 14th 1877.

J. J. Kenderine Esq. U.S. Consul - Amoy.
Sir:

Referring to the subject of your despatch to the Department No. 145: I have the honor to say that it has been the custom of merchants at this port in shipping goods to the Eastern States via San Francisco to take out an extra copy of the Custom's invoices for the use of the Steamship Company at their agents or consignees at that port: in order to promote convenience and dispatch in passing the goods at the Custom house.

The rule of this office has been to send the "Collector's Copy" of invoices of goods passing through San Francisco for the East to the Collector of that port. sending direct to the Collectors at New York or other Eastern seaboard ports only the copies of invoices covering shipments direct or via Europe to their ports as declared ports of entry: leaving within the Collection district first reached by such merchandise.

I am - Sir - Your Obedient Servant.
O. B. Bradford
Vice Consul General.

Cons/S.

Ack Sept 27 /77.

DEPARTMENT RECEIVED SEP 24 1877 OF STATE

Mr Cola

No. 100. United States Consulate General,

Shanghai 15th August 1877.

Mr. Bradford to the Department of State.

Subject. Nomination of an Interpreter at Chinkiang.

Abstract of Contents.

Refers to Mr. Colby's dispatch No. 80, to the Department on above subject, and incloses a copy of the Vice Consul General's letter to Consul at Chinkiang on the impropriety of the nomination of Mr. D. A. Emery to be Interpreter.

No. 100.

United States Consulate General,
Shanghai August 15th 1877.

Honorable John A. Campbell,
Third Assistant Secretary of State,
Washington.

Sir,

I have the honor to refer to Mr. Colby's dispatch No. 80, and to hand you inclosed herewith a copy of my No. 170 to him;—a copy of which I have also sent to the Legation.

I am Sir,
Your obedient servant,
[signature]
" Vice Consul General.

Inclosure,
Mr. Bradford to Mr. Colby, August 15. 1877.
Copy.

Copy.

United States Consulate General.

No. 170. Shanghai, August 16th 1877.

J. C. A. Colby Esqr.
U. S. Consul.
Chinkiang.

Sir:

Referring to your dispatch to the Department No. 80. in which after withdrawing your nomination of Mr. D. A. Emery as Interpreter at Chinkiang you say "not. withstanding. Consulting. with my knowledge of the facts, the impropriety of the nomination." I have the honor to remark that your action was doubtless taken after receiving the press copy of my dispatch No. 97 to the Department. sent to you about the 31st ultimo.

In view of the Department's instruction touching a future employment by the government of Mr. Emery. Notice by me in my

may 20.97. I beg to suggest that in justice to yourself you report to the Department wherein your knowledge of the facts supports a conviction that your nomination of him was one of propriety.

I will return your dispatch No. 80 until there shall have been sufficient time for this to reach you and for a reply to have been received.

If I can aid you in the matter by a reference to the records of the case in this office, please so inform me.

I am -

Yr.

Gen Thadeus Lemert.

O. B. Bradford
Vice Consul General.

Cons
55.

acknd Sept 27

Approves the Consul's action in Regard to Medical certificate

DEPARTMENT OF STATE RECEIVED SEP 21 1877

No. 101. U. S. Consulate General.
Shanghai. August 16th 1877.

Mr Bradford to the Department of State.

Subject: Mr. Hudson's application for leave of absence.

Abstract of Contents:

Refers to correspondence in 1876 on the Consul's last absence from his post. and offers reasons for the presence at their posts of officers of some experience. Thinks that in case the leave is granted the Vice Consul named be continued in charge of his post.

United States Consulate General.

No. 101. Shanghai, August 16th 1877.

Honorable John A. Campbell.
Third assistant Secretary of State.
Washington.

Sir:

In forwarding to you Mr. Consul Henderson's dispatch No. 143. requesting a leave of absence for six months. I have the honor to refer to my dispatches to the Department Nos. 1034 and 1035 respectively, dated March, 1876. and to the Department's instructions to Mr. Henderson, Nos. 42. 46. 58 and 64. on the subject of his absence from his post in 1875.

While the Consul's health may be affected by the warm term. I think that in view of the experience referred to, he would have found it appropriate to support his present application by a physician's Certificate.

With the present unsettled aspect of affairs in Europe, and in view

view of matters of importance which are likely to occupy official attention in this Empire the coming winter, which may lead to changes and events in the Commercial world materially affecting our interests here. I think it is desirable that our officers of some experience should be at their posts, without an exceptional state of their health requires an absence.

Formosa is within the Amoy district, and offers to the officer there a change of air and climate, at very little expense, which it attaches to no other port in China.

I submit Mr. Henderson's application, and, aside from this view of the case, would be pleased if the Department would accord to it a favorable consideration. In the event of its being granted I think it important that Mr. Henderson should see reasonably sure that the Commercial interests

of

I am Sir. Vice Consul Stevens will not present his remaining at Army during the whole time of the Consul's absence.

I have the honor to be Sir.
Your Obedient Servant.

O. P. Thompson
Vice Consul General.

Cor/5.

Note, H— 26,
ack Sept 27

DEPARTMENT
RECEIVED
SEP
24
1877
OF STATE

No. 102. U.S. Consulate General.

Shanghai. August 20— 1877.

Wm Bradford to the Department of State.

Subject. The Interpreter at Chinkiang.

Abstract of Contents.

Incloses a copy of Colby's dispatch No. 57 to the Con Consul General.

United States Consulate General.

No. 102. Shanghai, August 20th 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir:

Referring to my dispatch No. 100. I have now the honor to hand you inclosed herewith, a copy of Mr. Colby's dispatch of reply to me. No. 57.

I am. Sir.
Your Obedient Servant.

O. F. Fraser
Vice Consul General.

Inclosure.
Mr. Colby to Mr. Fraser. No. 57. (Copy.)

Copy.

No. 57. United States Consulate
Chinkiang August 18th 1877.

O. B. Bradford Esqr.
United States Vice Consul General.
Shanghai.

Sir:

I have the honor to acknowledge, with many thanks, the receipt of your dispatch No. 170. and in reply to your suggestion

"that in justice to yourself (myself.)"
"you (I would) report to the Department"
"wherein your (my) knowledge of"
"the facts supports a conviction that"
"your (my) nomination of Chin."
"(Emery) was one of propriety". I
beg to say that not sharing your
apprehensions that the Department
is likely to do me injustice in
the matter of the nomination of
Mr. Emery as Interpreter at this
Consulate, and the subsequent
withdrawal of the same, I do not
feel that either justice to myself,

the

the exigencies nor the importance of the Case requires that I should further address the Department on the subject. If, on more mature reflection, I should deem such further Correspondence necessary, or should the Department be pleased to call upon me for further information on the subject, I shall take great pleasure, however distasteful and tedious the task may be, in complying with either my own convictions of duty, or the requirements of the Department.

The press Copy of your No. 97 to the Department was received previous to the preparation of my No. 80 to same.

I have to thank you for your kindness in tendering me your aid in the matter of the records of the Comptroller General touching the subjects referred to in your No. 97. to the Department.

Hoping that you will permit my No. 80 to the Department to go forward without more delay,

I am, Dear Sir,
Your obedient Servant
D. C. S. Colby.
Consul.

Cor 35

ack Sept 27

No. 103. U.S. Consulate General. Mr Cole

Shanghai. August 21st 1877.

Mr. Bradford to the Department of State.

Subject- The watch and chain presented to Captain Stewart.

Abstract of Contents.

Incloses a copy of a letter from Captain Stewart owning full receipt of the watch and chain.

United States Consulate General.

No. 103. Shanghai, August 21st 1877.

Honorable J. A. Campbell
Third assistant Secretary of State.
Washington.

Sir:

Referring to your instruction No. 21 covering the watch and chain presented by Government to Captain James Stewart of the "Ti Tsing" for services rendered to the "Enoch Train" I have the honor to inclose a copy of a letter which I have received from Captain Stewart acknowledging the receipt thereof, of the bearer Capt. Deville. to whom same was entrusted by me.

I am. Sir.
Your Obedient Servant.
O. B. Bradford
Vice Consul General.

Inclosure.
Capt Stewart to Mr. Bradford. Aug. 2nd 1877. (Copy)

Copy.

Chinese G. B. "Chento".
Swatow 2nd August 1877.

O. B. Bradford Esqr.

Sir:

I have the honor to inform you that I have received from Captain Deville a gold watch and chain presented to me by the President of the United States. For such testimonial I return my sincere and honest Thanks.

Respecting services. we only thought we were doing our duty. and had we been able to tow her to Hong Kong. we would have done so willingly.

I have the honor to be.

Sir.

Your Obedient Servant.

James Stewart

Curtwood

Cable

ack Aug 23

State Department.

Washington.

Minister advises withdrawal
Chinkiang Office

Bradford

Shanghai

Received August 22d 1877.

Mr. Hoes for report
Dec 10 Oct ack rec'd

Welsood

E.

DEPARTMENT RECEIVED OCT 9 1877 OF STATE

No. 104. U. S. Consulate General.
Shanghai. August 27th 1877.

Mr. Bradford to the Department of State.

Subject - His Salary account to 33rd May. 1876.

Cert sent to Auds Oct 15.

Abstract of Contents.

Says that Mr. Seward being now in Shanghai. he has spoken with him upon a response in the matter. and asks the opinion of the Department thereto.

United States Consulate General.

No. 104. Shanghai, August 27th 1877.

Honorable J. A. Campbell.
Third assistant Secretary of State.
Washington.

Sir:

Referring to your dispatches to me Nos. 6. and 32. I have the honor to say that Mr. Seward is now here and that I have conferred with him in regard to the subject thereof, and agreed with him upon the following response.

On the first of January. 1876 Mr. Seward assumed charge of the Legation as Chargé ad interim. He was at that time ill, and unable to attend to the duties of the Consulate General. For this reason and because his duties as Chargé were all that his strength could support. he gave over to me the charge of the Consulate General. and informed the Department accordingly at his dispatch

dispatch No. 1016. I was authorized to draw the full ct compensation allowed by Law. from the first day of January 1876. as per Certificate found No. 6: inclosed with my dispatch No. 990 to the Honorable Fifth Auditor of the Treasury. and my accounts were rendered accordingly to the 23rd of May following.

Under these Circumstances the revision of my Salary account to 23rd May 1876 may not be deemed necessary. The question of the Compensation due to Mr. ct Seward will form the subject of representation on his part to the Department.

Asking your approval of this response.

I have the honor to be.

Sir.

Your Obedient Servant.

E. B. Brassfield

Vice Consul General.

ack JAC 12 Oct
Mr Ford
Ans 9

DEPARTMENT OF STATE RECEIVED OCT 9 1877

No. 108. U.S. Consulate General.
Shanghai. August 28th 1877.

Mr Bradford. to the Department of State.

Subject: The Chinkiang Office.

Abstract & Contents.

Transmits Copy of a telegram sent on the 22nd instant. and Copies of No. 670. to Legation and the Minister's response.

United States Consulate General.

No. 105. Shanghai, August 28th 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir:

On the 22nd instant I had the honor to telegraph you as follows:

"State Department.
"Washington
"Minister advises withdrawal
"Chinkiang office.
"Bradford."

This I did on the instruction No. 86 from the Legation in reply to my dispatch No. 570. Copies of which papers I inclose herewith.

I am. Sir.
Your Obedient Servant.
O. F. Bradford
Vice Consul General

Inclosures:
Mr. Bradford to Mr. Seward. No. 570. (Copy)
Mr. Seward to Mr. Bradford No. 86. (")

Copy.

United States Consulate General.

No. 570. Shanghai, August 20th 1877.

Honorable George F. Seward.
United States Minister.
Cheefoo.

Sir:

I beg leave to have to you herewith a copy of a dispatch No. 26. which has been received from Washington for Mr. Colby.

A number of years ago you advised the withdrawal of Post office. Recent circumstances appear to make this possible with even less detriment to the public interests than would have been the case then.

Awaiting the honor of your

Sir

Your Obedient Servant.

[illegible]

Vice Consul General.

Inclosure

State Department to Mr. Colby. June 25th No. 26. Copy.

Copy.

No. 86.

Shanghai August 20th 1877.

D. B. Bradford Esqr.
U.S. Vice Consul General.
Shanghai.

Sir:

I have received your dispatch No. 570.

I am still inclined to believe that the Chinkiang Office could be abolished without detriment to the interests of our trade. If you see no good reason to the contrary please telegraph to the State Department that I shall renew my advice to this effect.

I have the honor to be.
Sir.
Your Obedient Servant.
Geo. F. Seward.

Wood

ack Dec 19 Oct ack sent 9

DEPARTMENT RECEIVED OCT 17 1877 OF STATE

No. 106. U. S. Consulate General

Shanghai. August 20-1877

Mr. Bradford to the Department of State.

Subject:

Mr. Lincoln's dispatch No. 98.

Abstract of Contents

Refers to the Consul's No. 98. and says that a copy thereof has been handed to the Minister.

United States Consulate General.

No. 106. Shanghai, August 25th 1877.

Honorable J. A. Campbell
Third Assistant Secretary of State.
Washington.

Sir:

I have the honor to refer to Mr. Lincoln's dispatch No. 38, and to say that it treats of a subject to which Mr. Seward has given much attention. I have therefore handed to him a copy thereof for his information.

I am, Sir,
Your Obedient Servant.

O. F. Nagent
Vice Consul General.

ack Dec 17 Oct ack Nov 9 Hubbard

DEPARTMENT RECEIVED OCT 17 1877 OF STATE

No. 107. U. S. Consulate General.

Shanghai Sept. 11th 1877.

Mr Bradford to the Department of State.

Subject: The decease of Wm. William H. Hendricks. Consular Clerk. Abstract of Contents.

Announces the decease on the 7th September. of Wm. William H. Hendricks. a Consular Clerk. and indicates that his absence will form a case to the Consulate General.

Enclosed

United States Consulate General.

No. 107 Shanghai, September 11th 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir:

It becomes my duty to inform you of the decease at this port on the seventh instant, of Mr William H. Hendrick, a Consular Clerk of the United States, attached for duty at this office. Mr Hendricks has not enjoyed good health for some time, and an attack of a Choleraic nature proved to be too much for his system to rally from. He was faithful in the discharge of the duties entrusted to him, and his death proves a loss to this office.

I have the honor to be,
Sir,
Your Obedient Servant,
E. B. Drew
Vice Consul General.

Mr Wood
ack rec'd

DEPARTMENT
RECEIVED
OCT
17
1877
OF STATE

No. 108. U. S. Consulate General.
Honolulu. Sept. 11th 1877.
Mr. Bradford to the Department of State.
Subject: The Consulate General.
Abstract of Contents.

Owns receipt of request to
deliver archives to Mr. Wells. and
will do so on his arrival.

United States Consulate General.

No. 108. Shanghai, September 11th 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir:

I have the honor to receive the request to deliver the records and archives of this office to Mr. Gilespie C. Wells, appointed the Consul General at Shanghai.

I will have pleasure in at once complying with the instruction upon Mr. Wells' arrival here.

I am,
Sir,
Your Obedient Servant.

O. N. Nissen
Vice Consul General.

Mr Wood - ack. ltr 9 Mr Wood
ack. approx purchase
Dec 26 Sent

DEPARTMENT OF STATE
RECEIVED
OCT
25
1877

No. 109. U. S. Consulate General.
Shanghai. September 11th 1877.

Mr Bradford to the Department of State.

Subject: Compilation of Treaties.
Abstract of Contents.

Incloses a copy of Mr. Mayers' Compilation of Treaties between China and Foreign Countries. Says he has procured Copies for the Consulates by instruction of the Minister.

United States Consulate General.

No. 109. Shanghai, September 11th 1877.

Honorable J. A. Campbell.
Third assistant Secretary of State.
Washington.

Sir:

I have the honor to inform you that under an instruction from the Minister I have purchased for the Department and the several Consulates, Copies of a Compilation of the Treaties between China and Foreign Powers, edited by Mr. Mayers, of H.B.M. Legation.

The cost of these books will be charged in my account for the Miscellaneous expenses for the Current quarter.

I inclose the Copy for the State Department, as instructed by Mr. Seward.

I am, Sir, Your Obedient Servant,

O. N. Nagent
Vice Consul General.

Encls. One Copy Treaties between China and Foreign Powers.

Mr Woods—
Ack

DEPARTMENT OF STATE RECEIVED OCT 25 1877

Inc 2 Oct Ack Mr Wood Aug 9

No. 6 U.S. Consulate General.
Shanghai. September 17th 1877.

Mr. Wells to the Department of State.

Subject:
His arrival at Shanghai.

Abstract of Contents.

Arrival at Shanghai on the 12th day of September. and took over Charge on the 18th. The list of the archives will be forwarded. Has notified various Officials of his arrival. and incloses joint certificate as per form No. 5.

United States Consulate General.

No. 1. Shanghai, September 17th 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington D.C.

Sir:

I have the honor to announce my arrival at this port on the 12th instant, and that on the 13th I took charge of the Consulate General.

As soon as my time permits I will have prepared and transmit to you, the inventory of archives and government property received by me from Mr. Bradford, late Consul General.

I have notified the various officials of my assumption of the duties of my office, in the spirit of Section 74 of the Consular Regulations.

I inclose certificate as per form No. 5. Executed conjointly by Mr. Bradford and myself, and I transmit to the Honorable Fifth Auditor of the Treasury by this mail, my account for transit. The

time

time accepted thereof was fifty one days. or nine days under the time specified per Tariff in your instruction to me No. 2: of the 25th June last. a copy whereof I have sent to the Treasury Department with the account named.

I am.

Sir.

Your Obedient Servant.

D. Wedderburn
Crown General.

Inclosure.

Certificate as per form No. 5: signed Conjointly by Mr. Bradshaw and myself.

United States Consulate General.

Shanghai, September 13th 1877

We certify, on the twelfth day of September 1877, the services of O. B. Bradford, late Consul General, ceased, and he is entitled to his salary, or fees, including said day; and that the services of G. Wiley Wells commenced this fourteenth day of September, A.D. 1877, he having received the archives, a full and complete inventory of which is in preparation, and will be forwarded, as required by the Consular Regulations, Chapter XXIII.

G. Wiley Wells
U.S. Consul General.

O. B. Bradford
late U.S. Consul General

Mr Wood
ack rec'd

DEPARTMENT OF STATE
RECEIVED
OCT
25
1877

No. 2. U. S. Consulate General.
Shanghai. September 17=1877.
Mr. Wells to the Department of State.
Subject:
Receipt of Correspondence.
Abstract of Contents.

Owns receipt of instruction No. 1 at San Francisco. but too late to have an acknowledgment made from that port - will give attention to the subject of the instruction. and report.

4 July 25
12 July 12

United States Consulate General.

No. 2. Shanghai, September 17th 1877.

Honorable J. A. Campbell
Third Assistant Secretary of State.
Washington.

Sir:

I have the honor to acknowledge the receipt of your instruction No. 1. together with its inclosures, addressed to me at the "Baldwin Hotel" San Francisco. It reached me on the eve of my embarkation, which precluded the possibility of an earlier acknowledgment.

The subject matter thereof will meet with my prompt attention, and I will submit my report thereon as soon as I am able to advise myself fully concerning it.

I am,

Sir,

Your obedient Servt.

Lindley Wells
Consul General.

Mr Wood.
Ack supply of instructions
Mr Wood
24 Oct

DEPARTMENT RECEIVED OCT 25 1877 OF STATE

No. 3. U. S. Consulate General.
Shanghai: September 17th 1877.

Mr. Wells to the Department of State.

Subject: Ack Star
The Law Library.

Abstract of Contents.

States that Volume 11 of the Supreme Court Reports is wanting, and asks that it be supplied & together with the 2nd Volume of Brightly's Federal Digest.

United States Consulate General.

No. 3. Shanghai, September 17th 1877.

Honorable J. A. Campbell.
Third assistant Secretary of State.
Washington.

Sir:

I have the honor to say that upon inspecting the Law Library of this office I find Volume No. 11 of the Supreme Court Reports wanting. I respectfully request that the volume named be supplied, together with the volumes published subsequent to No. 4 of Wallace's Reports.

The Copy of Brightly's Federal Digest now here is the edition of 1868. I have to ask that the revised edition in the 2 Volume of the "Digest of Decisions" be sent to me. as it is very important to have such books of reference in the conduct of the judicial department of this office.

I will have occasion to ask for

for other books as my examination of the archives proceeds.

I am.

Sir.

Your Obedient Servant.

[illegible]
Consul General.

Omaha, Nebr.
September 19, 1877.

DEPARTMENT RECEIVED SEP 24 1877 OF STATE

Hon. J. A. Campbell,
3d Assistant Secy. of State,
Washington, D.C.

Sir:

I have the honor to inform you that I received the President's order of Suspension from my Office of Consul General at Shanghai, dated, June 5th, 1877, and also, the despatch from the Department of same date, informing me that the cause of suspension was the publication or instigation of an alleged libellous article as to Mr. Seward, printed in a British newspaper at Shanghai.

I received those papers on the 19th of July, 1877, and have them in my possession.

I at once, in obedience to the order of the President, retired from my Office and now inform you that I am at my home in Nebraska, address, Omaha, Nebr.

I also deem it proper to inform the Department, that I am preparing a statement in reference to the Consulate General, at Shanghai, which I will spread before Congress in October

Over

I have the honor to be Sir
Your Obt Servant
John C. Myers
Consul General
Shanghai, China
Under Suspension

Rec'd Sec'y Wood

Cable

September 22d 1877.

Statement in support of John C. Myers' request for an investigation by Congress of his administration of the Consulate Generals Printed.

Filed under date of 1st January 1878. vol. #26.

ack Sec'y Wood

Cable.

Shanghai Sept 25th 1877.

Honorable
Campbell
State Department
Washington

Hendrick Consular Clerk
dead.
Recommend B. U. Lee,
for vacancy.
Promptness desirable.

Wells

Rec'd. Sept. 25. 1877.

ack Jan 26th 78

DEPARTMENT OF STATE RECEIVED NOV 9 1877

No. 4. U. S. Consulate General.
Shanghai. October 2nd 1877.
Mr Wells to The Department of State.
Subject: The Tientsin Office and the Agency thereunder at Chefoo.
Abstract of Contents:
Refers To Mr. Denny's Nos. 2 and 8. and approves his nomination of Mr. Pethick as Vice Consul at Tientsin, and of Mr. Eckford as Agent at Chefoo. Vide Mr. Consular resigned.

United States Consulate General.

No. 4. Shanghai, October 2nd 1877.

Honorable J. A. Campbell,
Third Assistant Secretary of State.
Washington!

Sir:

I have the honor to send to Mr. Denny's dispatches Nos. 2 and 3, and to hereby signify my approval of his nomination of Mr. Pethick as Vice Consul at Chefoo, and of Mr. A. M. Berkeley as Consular Agent at Chefoo, in place of Mr. Cornabé, resigned.

I am,
Sir,
Your Obedient Servant.

Eliasu Pissell
Consul General.

Approve, H. Gulick

DEPARTMENT RECEIVED NOV 8 1877 STATE

No. 5.

United States Consulate General,
at Shanghai,

ack Jan 1 5/78

Mr. Wells,
to the
Department of State.

Subject.

Nomination of D. Bethune McCartee
as Deputy and Vice Consul General, at

Mr Seward says: Probably Mr Bradford will be ordered home, & to hold this for action at a future day.

A.R.V.
26 Nov. 77

Approved, H. Gilbreath

DEPARTMENT RECEIVED NOV 8 1877 STATE

No. 5.

United States Consulate General,
at Shanghai,

Oct Jan 1 5/78

Mr. Wells,
to the
Department of State.

Subject.
Nomination of D. Bethune McCartee
as Deputy and Vice Consul General, at
Shanghai.

Two enclosures.

No. 5. October 2d 1877.

Hon John A. Campbell
3d Assistant Secretary of State,
Washington.

Sir,

Under the provisions of Section No 10, I now have the honor to hereby nominate Dr. D. Bethune McCarter as Vice Consul General and Deputy Consul General, at this port, In recommending Dr McCarter for Vice Consul General, and Deputy Consul General, it gives me pleasure to inform the Department that he is a gentleman of strict integrity, great erudition fine accomplishments and rare ability, he has the pleasure of enjoying the confidence of the foreign population, also the confidence and friendship of the Chinese officials,

&c

He was recently appointed & Interpreter of this Consulate General upon the recommendation of Mr. O. B. Bradford, Vice Consul General in Charge, who refers to his abilities and accomplishments in his No 78, recommending the appointment,

1/ I enclose extracts, Clipped from Diplomatic Correspondence of 1865, part 2, page 425, & 435, in which Hon Mr. Burlingame makes mention of Dr. McCarter on account of valuable services rendered the & U.S. Government,

Dr. McCarter has been a resident of China and Japan since Feby 1844, He was connected with the U.S. Consular service in China, for a number of years, and is & familiar with its details, See letter

1/ of Dr. McCarter to Mr Wells, enclosed giving history of his services in & China and Japan,

I have only to add, that I feel

ful that this Consulate General is to be congratulated in obtaining the services of a gentleman like Dr Mc. Carter who by brings to the discharge of the duties incumbent, all the qualities necessary to give to this Consulate, harmony and influence,

I am, Sir,

Your obedient Servant.

Ludwig Wells

Consul General,

Enclosures.

Diplomatic Correspondence, 1865 Part 2d

Dr. M. Carter to Mr Wells,

Diplomatic Correspondence
1865, Part 2d

Page ~~No~~ 425,

Mr. Burlingame to Mr. Seward.

No. 106.] LEGATION OF THE UNITED STATES,
Peking, March 7, 186[illegible]

SIR: I have the honor to send correspondence (marked from A to L) relating to foreign residence at Tangchau.

From this you will learn—

1st. How difficult it is to secure, in the first instance, our treaty rights against the prejudices of a powerful class in China.

2d. The importance of having capable agents, like Dr. McCartee, to [illegible] successfully disputes which might otherwise lead to serious complications.

You will observe in the correspondence that the point is made that Tangchau is, by the spirit of the treaty, to be regarded as a place of residence with Yangtsze, its dependent port, as in the case of the instances of Canton and Whampoa, Ningpo and Chenhai, Peintsin and Tak[illegible]

As to the remark in my letter (L) that I will suggest Dr. McCartee's name for another position, I have to say that I hope soon to show in person, or by letter, how the government may secure the valuable services of Dr. McCartee himself consenting, without any additional legislation, in the position of assistant interpreter at Peking.

I have the honor to be, sir, your obedient servant,

ANSON BURLIN[illegible]

WILLIAM H. S[illegible]
Secret[illegible] &c., &c.

Page 435,

[Enclosure L.]

Mr. Burlingame to Mr. McCartee.

LEGATION OF THE UNITED STATES,
Peking, February 20, 1865.

SIR: Your despatch of December 31, 1864, has been received. It informs me of the successful settlement of one of the most difficult cases ever presented for diplomatic action. Your conduct throughout the negotiations is deserving of special commendation. The department will learn, as I do, of your resignation with regret, and will appreciate your patriotic efforts in the past, as well as your proffer of similar services in the future.

I shall have the honor to suggest your name to the government in connexion with a place better suited than the one which you have had for the exercise of your rare qualities as a Christian, patriot, and scholar.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

D. B. McCART[illegible]

Correspondence

Vol 1.

Interpreters Office
United States Consulate General
Shanghai China
220 September 1877.

G. Wiley Wells Esq
United States Consul General

Sir,

You have done me the honor to intimate to me your intention to nominate me as Vice Consul General, for which I beg to express to you my very sincere acknowledgements. I note among the requirements in cases of this kind, that it is specified. Art. II, sect. 19th of the Regulations prescribed for the use of the Consular Service of the United States, that "Consuls recommending appointments of this character, will in all cases, communicate a statement --- with some evidence of the capacity, character, and fitness of the nominee for the office, and also information respecting the State or country of which he may be a citizen or subject" In order that you may

may be enabled to furnish the required information I beg respectfully to make the following statement. I was born in the city of Philadelphia in the State of Pennsylvania U. S. A., in January 1820. My parents, who were both natives of New York city, being temporarily resident at the former place. I was brought by my parents to New York before I was three years of age, and entered the Class of 1834-38 of Columbia College in that city. At the close of the Junior collegiate year, I was obliged to leave College, from ill health, and resided for some years at Port Carbon in Schuylkill County, Pennsylvania, to which place my father had removed in 1835. In 1840, I was graduated ("with distinction") as M. D. at the University of Pennsylvania, and was spontaneously and unanimously recommended by the Medical Professors as one of the Resident Physicians in the Blockley Hospital. In the fall of 1843, being then one of the junior physicians attached to the University of

Pennsylvania

Pennsylvania) Dispensary. I accepted from the Board of Foreign Missions of the Presbyterian Church in the United States of America, the appointment of Medical Missionary to Ningpo, China, and sailed from New York Oct. 8th 1843, arriving at Hongkong on the 19th Feby. 1844, a few days in advance of the Hon. Caleb Cushing, who negotiated the first Treaty between the United States and China (July 1844). I reached Ningpo in June 1844, and in the Spring of 1845 was requested by the Taotai or Intendant of the Circuit of Ningpo, Shaohing, & Taichow, to act as United States Consular officer until a Consul should be regularly appointed by the Government of the United States. (My official services in this capacity were acknowledged by the Congressional Committee in 1857, who directed the 5th Auditor of the Treasury, to pay me the "Judicial allowance" for four years of the eleven. There was no allowance for Judicial salary before 1853 I believe.) In

185

185 Col. Humphrey Marshall, our Commissioner to China, requested me to write to him from time to time, and to keep him informed of the state of things at Ningpo - and before leaving China, he sent me, unsolicited, a Commission as U.S. Consular Agent for the port of Ningpo - This Commission was renewed by the Hon. Robert McLane after his arrival in China as United States Minister - and was changed to that of "United States Acting Consul" by him, on his visit to Ningpo in 185 - The Hon. Peter Parker sent me a Commission as "United States Acting Consul" soon after his arrival in China in 1856 -, which Commission I held until my visit to the United States, (leaving China in November 1856 -) I performed gratuitously the duties of Interpreter for Vice Consul Dear Consul, Ch. Bradley Esq. and Geo. W. Fish Esq from July 1858 to November 1861 when I went to Japan on account of the ill health of my family - Previous to my visit to Japan - i.c. in April 1859 I was sent for by Flag Officer Stirling

U.S. N

U.S.N. and entrusted with a mission to the Heads of the Taiping Rebels at Nanking with instructions to obtain from them if possible certain stipulations with reference to the non-molestation of Americans (and Chinese subjects all in their employ) and their property - which I was so fortunate as to succeed in discharging to the satisfaction of the Flag Officer, who was at that time U.S. Chargé d'Affaires.
In 1864, I received quite unexpectedly a commission as U.S. Vice Consul for the Port of Chefoo, from the Hon. Wm. H. Seward, Secretary of State of the U.S.A. and was appointed by the Hon. Anson Burlingame U.S. Minister Plenipotentiary &c to adjudicate in conjunction with a Chinese Officer appointed by the Tsung Li Yamên, a very embarrassing case arising out of a trespass committed ignorantly by some Missionaries in Tang Chow, and which the Intendant of Circuit in whose jurisdiction it occurred wished to take the advantage of, to expel all the Missionaries from Tang Chow. This case I was also so fortunate as to be able to settle to the satisfaction of

the

United States Minister the Hon. Anson Burlingame - For notices of my official course referred to above, I respectfully refer you to the United States Diplomatic Correspondence with China - for the years referred to - Flag Officer Stribling's Correspondence was not published. I came from Ningpo to assist the U.S. Consul Gen. F. Seward by - when the Interpreter the Rev. B.T. Jenkins died - and having brought up old arrears in the Chinese Correspondence, recommended Dr. H. J. Yates as Interpreter - During the absence, on account of ill health, of Dr. Yates, I filled the post of Interpreter from May to Sept. inclusive, 1872 - ~~[illegible]~~ In September 1872, I acted as a joint Commissioner from the Chinese Government, in conjunction with His Honor Chen the Magistrate of the Mixed Court, to Japan, to receive and send back to China some 300 Chinese Coolies, who had been kidnapped and kidnapped by the Peruvian Ship "Maria Luz" and had been rescued by the Japanese officers, to whom they appealed. All the arrangements connected with the sailing of the Commission

the

the translations of the documents, the passages by steamer from Japan, &c were entrusted almost entirely to me - and I had the satisfaction to receive as a recognition of my services at that time, from the Chinese Government, a gold medal - the first, I believe ever conferred by them upon a civilian. While in Japan I accepted an appointment in connection with the Imperial Department of Education, and upon the organization of the Imperial University of Tokio, was appointed one of the Professors - (a part of the time, until the arrival of a regular Law professor, I taught Justinian's Institutes (in Latin) and Pomeroy's Municipal Law to the beginners in the Law School) I had also the honor to be appointed Government visitor to the Botanic Garden, and also to Her Imperial Majesty's Normal School for Females, and had the honor of being specially presented to Her Majesty on the occasion of the Formal Opening of the School - In February 1874 I was informed by Mr. Bradford of the United States Consulate General at Shanghai

Shanghai that the Interpreter's post here would soon become vacant, and was invited by him to come over and fill it. I had several private reasons, (in addition to the uncertainty of all government appointments held by Foreigners in Japan,) for wishing to return to China. and accordingly sent in my resignation to the Department of Education or rather to them through the Director of the Imperial University of Tokio, which resignation was accepted, as it was understood that it was my wish that it should be, with an expression of regret that I could not continue in the University until the end of the year. (When there no doubt that I could have had another appointment, my Commission or "Contract" have already been renewed three times.) My salary there when I left Japan was 350 Japanese dollars in gold, per mensem, and a comfortable house provided. I took charge of the Interpreters Office in this Consulate General on the 2d May 1877.

I have the honor to be
Sir
Very Respectfully Yours
D. B. McCartee

Mr. Wells.

No 2.

Mr Wood

No. 2.

United States Consulate General.
Shanghai October 15th 1877.

Mr Phoenix. Marshal.
To the Department of State.

Subject Quarterly Returns.

Abstract of Contents,
Specifying, Marshals returns,
for the third quarter, 1877.

Inclosures
1/. Form No. 137.
2/. Jail report.

U.S. CONSULATE GENERAL
DEC
No. 2
SHANGHAI

DEPARTMENT
RECEIVED
JAN
1878
OF STATE

United States Consulate General.
Shanghai, October 15th, 1877.

Honorable John A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir;

I have the honor to transmit herewith, Returns of Criminal Cases heard in the Court of this Consulate General, during the quarter ending September 30th 1877. Also, a Report of the Consular Jail for the same quarter.

I have the honor to be,
Sir,
Your obedient Servant,
Richard Rhoerig.
Marshal of the Consular Court.

Form No. 137.

RETURN OF CRIMINAL CASES HEARD IN THE COURT OF THE UNITED STATES CONSULATE GENERAL, AT SHANGHAI,

From the First day of July to the Thirtieth day of September 187

DATE OF FIRST PROCEEDINGS.	NAME OF PRISONER.	CHARGE.	BY WHOM BROUG	JUDGMENT.	AMOUNT OF FINES IMPOSED.	AMOUNT OF FEES CHARGED AND RECEIVED.	DISPOSITI
July 2nd.	M. C. Nickels.	Assault & Battery.	A Chinese Mioo.	Fined $10 and costs, and to		pay Complainant	
July 6th.	Frank Bourchi.	drunk & incapable.	P. C. Wright.	Committed, and	Captain of	U.S.S. "Hehuelot"	
July 13th.	Thos. McDonald.	Assault & Battery.	A Chinese Coolah.	Committed until further orders.			
July 13th.	Thos. Thompson.	Insubordination.	Captain Girvan.	Committed until further orders.			
July 19th.	F. P. Richmond.	Attempt to defraud.	Sundry Creditors.	Committed for trial.			
July 23rd.	John Wilson.	Attempt to desert.	Captain Salter.	Committed for 10 days, on bread & water, & ha			
July 23rd.	Chas. McDonald.	Attempt to desert.	Captain Salter.	Committed for 30 days, on bread & water & har			
July 24th.	William Jones.	desertion.	his own representation.	Committed, and Captain of "Coldstream" n			
July 24th.	James Cronin.	desertion.	his own representation.	Committed and Captain of "Coldstream" n			
July 26th.	Griffith Hughes.	Assault & Battery.	Wong Ah Sai.	Committed for 10 days, on bread & water dir			
July 26th.	F. P. Richmond.	damaging Jail.	U. S. Marshal.	Committed for 42 days, on bread & water d			
August 2nd.	Thos. Hollingsworth.	Assault & Battery.	Yih Foo Mai.	Committed for 10 days, with hard labo			
August 2nd.	Archd. Murray.	Assault & Battery.	Yih Foo Mai.	Committed for 10 days, with hard labor			
August 8th.	James Cronin.	desertion 2nd time.	Captain Salter.	Committed for 10 days with hard labor			
August 8th.	John Wilson.	desertion 2nd time.	Captain Salter.	Committed for 10 days with hard labo			
August 9th.	John McLelland.	desertion.	Captain of "Ashuelot"	Committed and Captain of "Hehuelot" not			

Carr

Form No. 137.

MINAL CASES HEARD IN THE COURT OF THE UNITED STATES CONSULATE GENERAL, AT SHANGHAI, CHINA.

day of July to the Thirtieth day of September 1877, inclusive.

CHARGE.	BY WHOM BROUGT.	JUDGMENT.	AMOUNT OF FINES IMPOSED.	AMOUNT OF FEES CHARGED AND RECEIVED.	DISPOSITION OF FINES AND FEES.	
Assault & Battery.	A Chinese Mafoo.	Fined $10 and costs, and to pay Complainant $7.				
Drunk & incapable.	P. C. Wright.	Committed, and Captain of U.S.S. "Hehuelot" notified.				
Assault & Battery.	A Chinese Coolah.	Committed until further orders.				
Insubordination.	Captain Girnan.	Committed until further orders.				
Attempt to defraud.	Sundry Creditors.	Committed for trial.				
Attempt to desert.	Captain Salter.	Committed for 10 days, on bread & water, & hard labor.				
Attempt to desert.	Captain Salter.	Committed for 30 days, on bread & water & hard labor.				
desertion.	his own representation.	Committed, and Captain of "Coldstream" notified.				
desertion.	his own representation.	Committed and Captain of "Coldstream" notified.				
Assault & Battery.	Wong Ah Sai.	Committed for 10 days, on bread & water diet.				
damaging Jail.	U. S. Marshal.	Committed for 42 days, on bread & water diet.				
Assault & Battery.	Yih Foo Mai.	Committed for 10 days, with hard labor.				
Assault & Battery.	Yih Foo Mai.	Committed for 10 days, with hard labor.				
desertion 2nd time.	Captain Salter.	Committed for 10 days with hard labor.				
desertion 2nd time.	Captain Salter.	Committed for 10 days with hard labor.				
desertion.	Captain of "Ashuelot"	Committed and Captain of "Hehuelot" notified.				

Carried Over.

RETURN OF CRIMINAL CASES HEARD IN THE COURT OF THE UNIT STATES CONSULATE GENERAL, AT S

From the _____ *of* _____ *to the* _____ *day of* _____

NO. OF CASE.	DATE OF FIRST PROCEEDINGS.	NAME OF PRISONER.	CHARGE.	BY WHOM BROUGHT.	MENT.	AMOUNT OF FINES IMPOSED.	AMOUNT OF FEE CHARGED AN RECEIVED.
		Brought Over —					
17.	August 9th.	Rudolph Dehl.	leaving their vessel				
18.	" "	Otto Schurmann.	without leave, refusing				
19.	" "	Hans Peterson.	to return to their				
20.	" "	David Davideon.	duty and defying	Captain Jewett.			
21.	" "	John Anderson.	the Authority of the	of the Bark,			
22.	" "	John Nelson.	Vice Consul General.	"Moro Castle".	Committed for 10 days each, with		
23.	August 9th.	John Dougherty.	Assault & Battery.	A Chinese tailor.	Committed for 10 days with hard labor, Complainants bill $3.50. (Prisoner may		
24.	August 13th.	M. Kuhl.	drunk & disorderly.	P.C. Williams.	Warned dismissed, and sent on board his		
25.	August 15th.	M. Kuhl.	desertion.	Captain Hawkins.	Committed, and Captain Hawkins notifie		
26.	August 15th.	Ed Lincoln.	drunk & disorderly	P.C. Jansen.	Warned and dismissed.		
27.	August 15th.	C. McDonald.	desertion 2nd time.	Captain Salter.	Committed, and Captain Salter no		
28.	August 30th.	C. McDonald.	Insubordination.	Captain Salter.	Committed for 30 days on bread and m		
29.	Sept 3rd.	Ed Lincoln.	drunk & incapable.	Sergeant Skinner.	Warned and dismissed.		
30.	Sept 3rd.	Ed McCoy.	drunk & disorderly	Sergeant Skinner.	Warned and dismissed.		
31.	Sept 3rd.	M. Sullivan.	drunk & incapable.	Sergeant Jones.	Warned and dismissed.		
32.	Sept 4th.	F.P. Richmond.	Attempt to defraud.	F.C. Reilly, & others.	Committed for 60 days with hard		
33.	Sept 24th.	Edward Ward.	drunk & incapable.	Native P.C. No. 80.	Warned and dismissed.		

Rich

STATES CONSULATE GENERAL, AT SHANGHAI, CHINA.

day of 187 , inclusive.

GMENT.	AMOUNT OF FINES IMPOSED.	AMOUNT OF FEES CHARGED AND RECEIVED.	DISPOSITION OF FINES AND FEES.

itted for 10 days each, with hard labor.

tted for 10 days with hard labor, fined $10 and costs, and to pay
mplainants bill $3.50. (Prisoner may be released when fine and costs are paid,
d, dismissed, and sent on board his vessel the "B. F. Watson".

itted, and Captain Hawkins notified.

ed and dismissed.

itted, and Captain Salter notified.

itted for 30 days on bread and water, & to be discharged from his "Coldstre

ed and dismissed.

ed and dismissed.

ed and dismissed.

itted for 60 days with hard labor.

ed and dismissed.

Richard Phoenix.
Marshal of the Consular Cou
Shanghai, Chi

Form No 137.

RETURN OF CRIMINAL CASES HEARD IN THE COURT OF THE UNITED STATES CONSULATE GENERAL, AT SHANGHAI

From the First day of July to the Thirtieth day of September

DATE OF FIRST PROCEEDINGS.	NAME OF PRISONER.	CHARGE.	BY WHOM BROUGHT.	JUDGMENT.	AMOUNT OF FINES IMPOSED.	AMOUNT OF FEES CHARGED AND RECEIVED.	DISPO
July 2nd "	M. C. Nickels.	Assault & Battery.	A Chinese Mafoo.	Fined $10 and costs, and to pay Complain			
July 6th "	F. Ponrchi.	Drunk & incapable.	P.C. Wright.	Committed and Captain of U.S.S. "Hehne			
July 13th "	Thos. Mc Donald.	Assault & Battery.	A Chinese Loudah.	Committed until further orders.			
July 13th "	Thos. Thompson.	Insubordination.	Captain Silman.	Committed until further orders.			
July 19th "	F.P. Richmond.	Attempt to defraud.	Sundry Creditors.	Committed for trial.			
July 23rd "	John Wilson.	Attempt to desert.	Captain Salter.	Committed for 10 days, bread & water, & hard			
July 23	Chas. Mc Donald.	Attempt to desert.	Captain Salter.	Committed for 30 days, bread & water & har			
July 24th	William Jones.	desertion.	his own representation.	Committed ~~for 30 days, bread & water, and~~ and Captain of "Coldstream"			
July 24th	James Cronin	desertion.	his own representation	Committed and Captain of "Coldstream"			
July 26th	Griffith Hughes.	Assault & Battery.	Wong ah Sai.	Committed for 10 days, on bread & water a			
July 26th	F.P. Richmond.	damaging Jail.	U.S. Marshal.	Committed for 42 days, on bread & water			
August 2nd	Thos Hollingsworth.	Assault & Battery.	Yih Foo Mai.	Committed for 10 days, with hard labor.			
August 2nd	Thos Murray.	Assault & Battery	Yih Foo Mai	Committed for 10 days, with hard labor.			
August 8th	James Cronin.	Desertion. 2nd time	Captain Saltee.	Committed for 10 days, with hard labor			
August 8th	John Wilson	Desertion 2nd time.	Captain Salter.	Committed for 10 days, with hard labo			
August 9th	John Mc Lelland.	Desertion.	Capt. of "Ashuelot."	Committed and Captain of "Ashuelot" a			

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Form No 137.

CRIMINAL CASES HEARD IN THE COURT OF THE UNITED STATES CONSULATE GENERAL, AT SHANGHAI, CHINA.

t day of July to the Thirtieth day of September 1877, inclusive.

	CHARGE.	BY WHOM BROUGHT.	JUDGMENT.	AMOUNT OF FINES IMPOSED.	AMOUNT OF FEES CHARGED AND RECEIVED.	DISPOSITION OF FINES AND FEES.	
	Assault & Battery.	A Chinese Mafoo.	Fined $10 and costs, and to pay Complainant $7.				
	Drunk & incapable.	R.B Wright.	Committed and Captain of U.S.S. "Ashuelot" notified.				
l.	Assault & Battery.	A Chinese Loudah.	Committed until further orders.				
e.	Insubordination.	Captain Bilman.	Committed until further orders.				
.	Attempt to defraud.	Sundry Creditors.	Committed for trial.				
.	Attempt to desert.	Captain Salter.	Committed for 10 days, bread & water, & hard labor.				
ld.	Attempt to desert.	Captain Salter.	Committed for 30 days, bread & water & hard labor.				
.	desertion.	his own representation.	Committed ~~for 10 days, bread & water, and hard labor.~~ and Captain of "Coldstream" notified.				
	desertion.	his own representation	Committed and Captain of "Coldstream" notified.				
es.	Assault & Battery.	Wong Ah Sai.	Committed for 10 days, on bread & water diet.				
d.	damaging jail.	U.S. Marshal.	Committed for 42 days, on bread & water diet.				
ith.	Assault & Battery.	Yih Foo Mai.	Committed for 10 days, with hard labor.				
—.	Assault & Battery	Yih Foo Mai	Committed for 10 days, with hard labor.				
.	Desertion. 2nd time	Captain Salter.	Committed for 10 days, with hard labor.				
	Desertion 2nd time.	Captain Salter.	Committed for 10 days, with hard labor.				
nd.	Desertion.	Capt. of "Ashuelot."	Committed and Captain of "Ashuelot" notified.				

Carried Over —

RETURN OF CRIMINAL CASES HEARD IN THE COURT OF THE UNITED STATES CONSULATE GENERAL, AT SHAN

From the ____ of ____ to the ____ day of ____

NO. OF CASE.	DATE OF FIRST PROCEEDINGS.	NAME OF PRISONER.	CHARGE.	BY WHOM BROUGHT.	JUDGMENT.	AMOUNT OF FINES IMPOSED.	AMOUNT OF FEES CHARGED AND RECEIVED.
	Brought Over.						
17.	August 9th	Rudolph Debl.	Leaving their vessel	Captain Jewett			
18.	" "	Otto Schurmann.	without leave, refus-	of the bark,			
19.	" "	Hans Peterson.	ing to return to their	"Morro Castle."			
20.	" "	David Davideon.	duty, and defying				
21.	" "	John Anderson.	the Authority of the				
22.	" "	John Nelson.	Vice Consul General.		Committed for 10 days each with hard		
23.	August 9th	John Dougherty.	Assault & Battery.	A chinese tailor.	Committed for 10 days with hard labor, f complainants bill $3.50. (may be rel		
24.	August 13th	M. Kuhl.	drunk & disorderly.	P.C. Williams.	Warned, dismissed, and sent on boa		
25.	August 15th	M. Kuhl.	desertion.	Capt. Hawkins.	Committed and Captain Hawkins re		
26.	August 15th	Edward Lincoln	drunk & disorderly	P.C. Jansen.	Warned and dismissed.		
27.	August 15th	C. McDonald.	desertion 2nd time	Captain Salter.	Committed and Captain Salter re		
28.	August 30th	C. McDonald.	Insubordination.	Captain Salter.	Committed for 30 days on bread & water,		
29.	Sept. 3rd	Ed. Lincoln.	drunk & incapable.	Serg. Skinner.	Warned and dismissed.		
30.	Sept. 3rd	Ed McCoy.	drunk & disorderly.	Serg. Skinner.	Warned and dismissed.		
31.	Sept. 3rd	M. Sullivan.	drunk & incapable,	Sergt. Jones.	Warned and dismissed.		
32.	Sept. 4th	F.P. Richmond.	Attempt to defraud	F.E. Billy & others.	Committed for 60 days with hard lab		
33.	Sept. 24th	Edward Ward.	drunk & incapable.	Native P.C. No. 80.	Warned and dismissed.		

Richard Phoenix.
Marshal of the Cons
Shang

UNITED STATES CONSULATE GENERAL, AT SHANGHAI, CHINA.

day of 187 , *inclusive.*

JUDGMENT.	AMOUNT OF FINES IMPOSED.	AMOUNT OF FEES CHARGED AND RECEIVED.	DISPOSITION OF FINES AND FEES.
Committed for 10 days each with hard labor.			
Committed for 10 days with hard labor, fined $10 and costs, and to p complainants bill $3.50. (May be released when fine & costs are paid.			
Warned, dismissed, and sent on board his vessel. the "B.F.Wa			
Committed and Captain Hawkins notified.			
Warned and dismissed.			
Committed and Captain Salter notified.			
Committed for 30 days on bread & water, & to be discharged from th			"Coldst
Warned and dismissed.			
Warned and dismissed.			
Warned and dismissed.			
Committed for 60 days with hard labor.			
Warned and dismissed.			

Richard Phoenix.
Marshal of the Consular Court.
Shanghai, China.

UNITED STATES' CONSULAR JAIL, SHANGHAI,

REPORT FOR MONTH OF July 1877.

No. from last Report 5.
" admitted during month 9.
Total 14.

No. discharged during month 7.
" remaining 7.
Total 14.

No. of days served during previous months 739.
" " " " past month 146.
Total to date 885.

Richard Phoenix.
Marshal.

Number.	Name.	When Admitted.	Term.	When Discharged.	No. of Days.	Remarks.
49.	Theodore W. Eckfeldt.	April 6th 1876.	3 Years.		31.	
100.	Thomas H. Brown.	Dec. 11th 1876.	1 Year.		31.	
14.	Frederick Mauer.	March 15th	4 months.	July 10th	9.	
23.	Edward W. Blackwood.	June 5th	3 months.		31.	
25.	Lorenzo Hansen.	" 19th		July 2nd	2.	
26.	Frank Pavichi.	July 6th		" 7th	1.	
27.	Thomas Mc Donald.	" 13th		" 14th	1.	
			Carried Over →		106.	

REPORT FOR MONTH OF July 1877. (CONTINUED.)

Number.	Name.	When Admitted.	Term.	When Discharged.	No. of Days.	Remarks.
	Brought Over				106.	
28.	Thomas Thompson.	July 13th.		July 14th.	1.	
29.	Frank Pierce Richmond.	" 19th.			13.	
30.	John Wilson.	" 23rd.	10 days.		9.	
31.	Charles Mc. Donald.	" 23rd.	20 days.		9.	
32.	William Jones.	" 24th.		July 24th.	1.	
33.	James Cronin.	" 24th.		" 24th.	1.	
34.	Griffith Hughes.	" 26th.	10 days.		6.	
35.	F.P. Richmond.	" 26th.	42 days.		Broke Jail July 26th. Recaptured same day.	
					146.	

UNITED STATES' CONSULAR JAIL, SHANGHAI,

REPORT FOR MONTH OF August 1877.

No. from last Report 7.
„ admitted during month 18.
Total 25.

No. discharged during month 18.
„ remaining 7.
Total 25.

No. of days served during previous months 885.
„ „ „ „ past month 251.
Total to date 1.136.

Richard Rhamiz.
Marshal.

Number	Name.	When Admitted.	Term.	When Discharged.	No. of Days.	Remarks.
49.	J. N. Eckfeldt.	April 6th " 1876.	3 Years.		31.	
100.	J. H. Brown.	Dec! 11th "	1 Year.		31.	
23.	E. W. Blackwood.	June 5th	3 months.		31.	
29.	J. P. Richmond.	July 19th	42 days.		31.	
30.	J. Wilson.	" 23rd "	10 days.	August 2nd "	2.	
31.	C. Mc" Donald.	" 23rd "	20 days.	" 13th "	13.	
34.	G. Hughes.	" 26th "	10 "	" 5th "	4.	
36.	Thomas Hollingsworth.	August 2nd "	10 "	" 9th "	8.	

REPORT FOR MONTH OF August 1877. (CONTINUED.)

Number.	Name.	When Admitted.	Term.	When Discharged.	No. of Days.	Remarks.
				Brought Over —	159.	
38.	James Cronin.	August 8th.			23.	
39.	John Wilson.	" 8th.			23.	
40.	John Mc Lelland.	" 9th.		August 9th.	1.	
41.	Rudolph Dehl.	" 9th.		" 13th.	4.	
42.	Otto Schurmann.	" 9th.		" 13th.	4.	
43.	Hans Petersen.	" 9th.		" 13th.	4.	
44.	David Davidson.	" 9th.		" 13th.	4.	
45.	John Anderson.	" 9th.		" 13th.	4.	
46.	John Nelson.	" 9th.		" 13th.	4.	
47.	John Dougherty.	" 9th.	10 days.	" 16th.	8.	
48.	Edward Lincoln.	" 15th.	5 days.	" 20th.	5.	
49.	Marx Yacob Kuhl.	" 15th.		" 15th.	1.	
50.	Charles Mc Donald.	" 15th.		" 15th.	1.	
51.	Eugene Sanborn.	" 21st.		" 22nd.	1.	
51½	[illegible]	[illegible]		[illegible]	3.	Destitute Seaman.

UNITED STATES' CONSULAR JAIL, SHANGHAI,

REPORT FOR MONTH OF September 1877.

No. from last Report 7.
„ admitted during month 2.
Total 9.

No. discharged during month 6.
„ remaining 3.
Total 9.

No. of days served during previous months 1136.
„ „ „ „ past month 134.
Total to date 1270.

Richard Phoenix.
Marshal.

Number.	Name.	When Admitted.	Term.	When Discharged.	No. of Days.	Remarks.
49.	J.W. Eckfeldt.	April 6th 1876.	3 years.		30.	
100.	J.H. Brown.	Dec.r 11th 1876	1 year.		30.	
23.	C.W. Blackwood.	June 5th.	3 months.	September 4th	4.	
29.	J.P. Richmond.	July 19th.	42 days.	6th.	5.	
38.	James Cronin.	August 8th.		3rd.	3.	
39.	John Wilson.	" 8th.		3rd.	3.	
52.	Charles Mc Donald.	" 30th.	30 days.	28th.	28.	
				Carried Over	103	

REPORT FOR MONTH OF September 1877. (CONTINUED.)

Number.	Name.	When Admitted.	Term.	When Discharged.	No. of Days.	Remarks.
			Brought Over.		103.	
53.	J P Richmond.	September 6th	60 days.		25.	
54.	Jaquemot Caramia.	" 7th		September 13th	6.	
					134.	
	Total No of days Served during 3rd Quarter 1877,				491.	
	" No of prisoners admitted " " "				30.	
	" " " " discharged " " "				29.	

Cor
E

Shanghai Mr Wood

copy sent to Shanghai Oct 20

Louisiana Avenue No 462
Washington October 18, 1877

Hon J. D. Campbell
Third Apistant Secretary of State

Sir— I beg to inform you that I have an unsettled account between the Consular Body and myself, at Shanghai, amounting to several thousand taels, deposited to my credit in the HongKong and Shanghai Banking Corporation; also twenty-five dollars in the Oriental Bank, held by me as Senior Consul of the Consular Body.

In explanation I have to that on the 27th of last March, Mr. W. H. Seward suspended me from the duties of my office; he expelled me from my room in the Consular Building, took personal possession of my papers, occupied the room himself, and huddled papers and documents in utter confusion into a barked and had them taken to my hotel. This ~~accounts~~ explains my inability to attend to the matter when in China. I beg to

request that my successor may be authorized to transfer this money to my successor, the Dean of the Consular Body.

There also remained in my office the archives of the Consular Body, in my case. As there was an incendiary fire in the Archive Rooms of the Consulate, on the evening of the 5th of July last, which room was in charge of Mr. A.B. Bradford I have grave fears for their safety, and hope that provision may be for transfer to the proper party.

I have the honor to be, Sir
Your obt. Servt
John C. Myers
late Consul General
Shanghai, China

Telegram

Shanghai October 18th 1877.

Secretary Campbell.
State Department.
Washington.

With immediate authority
suspend Bradford.
Guilty fraud and Corruption
in Office.
Items by mail

Wells.

Rec'd Oct. 18. 1877.

Rec'd Dec. 1-

W. Wood

DEPARTMENT OF STATE
DEC 1 1877
RECEIVED

No. 6.

ack Jany 16/78

United States Consulate General
Shanghai October 25rd 1877.

Mr. Wells to the Department of State.

Subject.

Report in regard to condition of the Consulate General at Shanghai. and Mr. Bradfords' Conduct.

— Abstract of Contents. —

Arrival at Shanghai. — taking charge of Consulate General. — Condition of archives and records. — Method of keeping Consular books. — Misappropriation of fees by Mr. O. B. Bradford. Neglect to conform to Consular Regulations. — Mutilation and abstraction of records. — Fraudulent vouchers in P. O. Accounts. — Abstractiveness of Mr. O. B. Bradford. — Moneys which he should have accounted for. — The estate of Mrs. Bridgman. — Failure to record receipts of moneys. — Abstraction of private letters from U. S. Mail. — His Trial and Conviction for same. — Waiting instructions as to further actions as to Mr. Bradford. — Recommends his dismissal from Consular Service. —

No. 6.

United States Consulate General
Shanghai October 25th 1877.

Hon. J. A. Campbell
Third Assistant Secretary of State
Washington, D. C.

Sir:

In compliance with instructions contained in despatch No. 11. dated 25th July. 1877, addressed to me in care of "Baldwin's Hotel" San Francisco, Cal. wherein I was directed to investigate the charges preferred by Mr. J. C. Myers, against Mr. C. B. Bradford Vice Consul General, and acting Consul General Shanghai, China, I now have the honor to report, that I arrived in Shanghai on the afternoon of the 12th Sept.

On the morning of the 13th Sept. I assumed charge of the Consulate General, and proceeded immediately to comply with the aforesaid instructions "to investigate and report all the facts and circumstances

Commenced.

"Connected with the unfortunate
"Controversy, without fear or favor".
I am obliged to report that I found
the office in such a state of Confusion,
with so many matters demanding my
attention, added to lack of Clerical
force, resulting from the death of
Mr. Hendricks, that I have been
unable to finish satisfactorily the
many matters that are subjects of
investigation.

In this despatch, I simply desire
to report what has transpired to this
date, leaving it for a future despatch
to advise you of the details.

My attention was first directed
to the method of doing business in the
office. I found that there were no
books showing the receipts and
disbursements of public money, or
vouchers for the same on file in this
office, prior to the 20th June, 1876. all
having been claimed as private property
and removed. I discovered in a
few days after I had commenced

The

the investigation of this particular branch of the office, that it was apparent that a corrupt system had been in vogue, and was being practiced by Mr. Bradford. I found that all books relating to the receipts and disbursements were kept by Mr. Bradford, no other person in the building having access thereto, unless by the permission of Mr. Bradford.

Mr. Coffey, a special Clerk in the office, performed the duties principally from which fees were derived, and received the moneys therefor. Mr. Coffey then turned over to Mr. Bradford all moneys received by him, Mr. Bradford taking the book in which Mr. Coffey had entered the moneys received, and which perhaps should be denominated "a daily blotter," and then transcribed the original entries of Mr. Coffey, to books kept by him.

Upon examining the book

Kept.

Kept by Mr. Bradford. I found that he transcribed from Mr. Coffey's blotter, to the book which the law provides shall be the original, in to which all fees are to be entered as they are received, My attention was next directed to the ascertaining of the reasons why Mr. Bradford should deem it necessary to transcribe each and every entry, instead of conforming to the law by requiring Mr. Coffey to use the fee book provided by law, and furnished by the Department as the book of original entries. I soon ascertained that his reasons were, that he himself desired to separate what he called treasury fees, from unofficial fees, that is, the fees to be reported, and those not reported to the Department. These I found to consist of fees derived from protests, Filing of deeds, & the acknowledgement of same, Bills of sale, deeds to same, Registering the Births of American

Children

children, certifying under seal, to the records of the office &c. &c. all of which are recognized in the tariff of fees as official fees, Consular Regulations, page 77. I found Mr. Bradford had substituted a small engraved stamp, denominated a notarial seal, for the Consular seal, and that he was in the habit of certifying to the records of this Consulate General under his hand and seal as Vice-Consul General, affixing this notarial seal thereto, instead of the Consular seal as required by law, charging the tariff fees, and retaining the amount so received. I was surprised to find such an open violation of the law, and such a disregard for the Consular Regulations (Sections 321 and 322). I immediately set at work to determine what amount of money had been by this means received and appropriated by Mr. Bradford. Upon an examination of the Cash Book, Ledger, and Journal heretofore

heretofore referred to as kept by Mr. Bradford, I found them in such a state of confusion and kept with such a perfect disregard of all the rules governing book keeping, and, in some instances so mutilated, that after spending several days and nights over them, I employed a competent accountant, and a gentleman of standing and placed the books in his hands for a complete and thorough investigation of them. He has now been working upon them for several days, and when the work has far enough advanced, to be able to give an intelligent report as to their exact condition, I will forward the same to the Department.-

My attention was next directed to the Archives of correspondence in the office. I found there were no records of the despatches sent to the Department from this office, except ordinary letter press copy

books

books, many of which were so faded and obliterated, that it was utterly impossible, to read them. It would take pages for me, to describe, the condition of these records. I found that, there had been a perfect — disregard of the instructions — contained, in the Consular Regulations

As, to the correspondence between this Consulate General and the — Chinese officials, the records were in, even a worse condition. Not only were there no records kept as required by the Department, of the letters transmitted and received, but Dr. McCartee, the interpreter, found upon examination that the books containing the — correspondence between the Taotai and this office had been mutilated. The books had been by some one — opened and correspondence removed, and unimportant circulars et cetera. inserted, in lieu of the abstracted Despatches. I directed Dr. McCartee to make a full investigation, and

report

report, to me, which report will be forwarded to the Department as soon as completed. Under all the circumstances, I deemed it necessary to close the safe in Mr. Bradford's roome, and take from him the keys, and examine its contents. Upon an examination of the various papers therein found, among which were papers marked, private papers of C. B. Bradford, Dr. McCartee and myself found the missing despatches which had been abstracted from the correspondence between this office and the Taotai. This subject matter is fully treated in the report of Dr. McCartee herewith enclosed marked No. 1.

My attention was next directed to the Post office connected with this Consulate. I found that in a similar condition to the affairs of the Consulate proper. Confusion marked each and every branch thereof. Fictitious Vouchers, executed by Mr. Bradford, were found by

by me in the account which had been forwarded to the Post Office Department, for which he had been allowed.

I detected while this examination was going on, and while I was pursuing the investigation, that while Mr. Bradford apparently was giving me every assistance and attention, he had altered the records of this office, and was in fact, and in truth doing his utmost to conceal and hide from me the truth in regard to many transactions, and only divulged the facts after I had ascertained them by other means. As an illustration, I directed Mr. Bradford to turn over to me all moneys which belonged to this Consulate, and which should properly come into my hands. He made a detailed statement thereof, amounting to $675.20/100 of the moneys to be accounted for by him, or by this Consulate, to the Government and to private individuals

My attention was directed to a memorandum entered in the book, which he called a Court Docket, but which

more

more properly would be called a miscellaneous memorandum book of Court cases, having more the appearance of a butchers account book, than a public record of the United States Consulate General. I remarked that I would like to see the papers in the case of one Mrs. Bridgman, an American Citizen who had deceased in 1870. or 1871 and whose estate had been probated &c.

As soon as I mentioned this matter to Mr. Bradford, his face flushed, and he immediately commenced to explain to me that there were certain moneys in the case that had not yet been disposed of, and that he was intending to call my attention to it because there were no residuary legatees. I directed him forthwith to bring the papers to me, which he did. When I found in the envelope containing the papers a certificate of deposit for Taels 1000.- payable to the "Consulate General" marked C.B.B. There was no record in this office upon either the Journal, or Cash Book, of this

Sum

sum of money, nor was there anything in the office, outside of the papers in this envelope, that would in any way lead to detection, had the same been appropriated for private purposes. I proceeded to investigate other cases, and I found that Mr. Bradford had told me falsehoods, and by my investigations of the details of this office, I compelled him to place in my hands various sums, until it amounted altogether to some $3.000.- in addition to what I had previously receipted to him for, and which he represented at the time as the entire amount of funds for which he, or the Consulate was responsible.

While this investigation was going on, copies of letters sent by gentlemen in Shanghai to gentlemen in the United States, were found in among Mr. Bradford's papers - marked private, one in particular from D. J. Macgowan M.D. to General W. Myers, United States Army -

San Francisco.

San Francisco, which had been mailed in the Post Office of this Consulate, for the purpose of being forwarded by the mail. I sent for Dr D.J. Macgowan, who is the surgeon of the Consular Gaol, and after he was made acquainted with the fact, he immediately demanded a warrant for the arrest of Mr. Braddford, which was forthwith issued. Mr. Bradford was tried, found guilty and sentenced to pay a fine of $200.- and be confined in the Consular Gaol for 20 days for said offense. I enclose a full report of the trial and proceedings, marked No. 3.

3/

I have not yet suspended Mr. Bradford, as Consular Clerk, as I have been waiting to receive instructions from the Department, in reply to my telegram transmitted on the 18th inst. which was in words as follows" Secretary Campbell State Department, Washington, wish immediate authority to suspend Bradford, guilty of fraud and Corruption in

in office. Items by mail." Signed Wells.
(Seal).

Owing to the matters that are now undergoing investigation, and that remain unfinished, I shall be unable to conclude my report in time for the mail which closes to-morrow morning. As soon as my investigations are finished, I will transmit a detailed statement in regard to Mr. Bradford, his doings and his administration of this office.

Mr. Bradford has promised me that he will refund the moneys due for unreported fees, which he has withheld and appropriated to his own use, as soon as the amount can be ascertained. Under the circumstances I would respectfully recommend to the Department the dismissal of Mr. Bradford from the Consular Service, as to whether any further punishment is to be inflicted upon him for his malfeasance in office, I shall wait

to

be made acquainted with
to ~~receive~~ the wishes and instructions
of the Department.

The death of Mr. Hendricks,
and the confinement of Mr. Bradford,
leaves me without force sufficient
to conduct the ordinary current
work of the office. I would
therefore request that I be given
authority to pay reasonable
compensation for such clerical
work as is necessary until the
vacancies are filled by appointment.

If the Department would send
me such authority and instruction
by Telegraph, as may appear
called for, it would greatly
expedite and facilitate the business
of this Consulate General.

I am

Sir.

Your obedient Servant,

D. Wilder Wellman
Consul General

- Inclosures. -

No 1. Certificate of Mr. Bradford as to removal of records from Consulate General.

No. 2. Report of Dr. D. Bethune McCartee as to mutilation of Chinese correspondence &c.

No. 3. Trial of O. B. Bradford for violation of Postal laws.

Copy -

United States Consulate General.
Shanghai, October 18th 1877.

I do hereby certify that I have delivered to Hon G. Wiley Wells, Consul General, all the Books of Account, and all the Duplicate vouchers for the disbursements of this office, which were in my possession as Vice Consul General at this Port; Viz: from June 24th 1876, to Sept 12th 1877. All other books and vouchers of Monies received and expended having been removed by the former U. S. Consul General.

(signed) O. B. Bradford.

Witness.

(signed) E. J. Coffey.
(") D. B. McCartee.

Inclosure

No 1.

Certificate of Mr Bradford certifying that there were no books or vouchers of Monies received and expended, in the Consulate General, prior to June 24th 1876.

United States Consulate General
Shanghai October 20th 1877.

To the
Hon. S. Wiley Wells.
Consul General.-

Sir:

I have the honor to report that in conformity to your instructions, I have carefully examined all the books and documents that I have been able to find in this Consulate General relating to the correspondence with Chinese officials and find as follows;

1st. Nine (9) volumes of Press copy books containing copies of notes and despatches addressed to the Intendant or Taotai and other Chinese officials, commencing with September 1862, and coming down to October 1877. The copies of many of the earlier notes and despatches have already become quite illegible. There is also a Press Copy Book of miscellaneous correspondence containing copies of many communications to Chinese officials. I

Respectfully

respectfully submit as my opinion, that Regular Books of Record should be kept of these communications, properly indexed, and that the system of relying upon press copies should be abandoned.

2nd About sixty (60) volumes of Chinese Blank books containing entries of the dates of receipt and despatch of communications from, and addressed to local officials, and copies or abstracts of the contents of those communications. Most of these are of little or no value from the fact that for by far the greater part of the time they have been kept by irresponsible Chinese without any foreign oversight, and that in many instances they are not copies, but only the most meagre abstracts, and written in the Chinese abbreviated or "grass character", which is often difficult even for natives to decipher.

3rd A large number of original Chinese despatches, those received previous to

1871.

1871. in the utmost disorder I was told by the late Interpreter Dr Yates, that a number of important despatches relating to the case of C.E. Hill had been stolen from this Collection, those commencing with 1871 and coming down to Sept. 13th 1877. have been pasted into Letter books, and I believe are tolerably complete. In my opinion it is highly desirable, that hereafter all such despatches, together with the English translations of the same should be transcribed into foreign bound permanent books of Record, such as are furnished to the Consulates of the State Department, and indexed both in Chinese and English.

4th Twenty five (25) Volumes of different sizes of Chinese bound Books of translations of Communications from Chinese

Officials

officials; commencing with 1857. and coming down to the present time. These are in a most disorderly state: and I regret to say, that in some cases they seem to have been mutilated, and papers abstracted from them, and irrelevant matter afterwards sewed or pasted in, to fill up the space thus left vacant. Thus the volume for 1873. has evidently had pages cut out between documents 3436 and 3580. from March 10th to July 9th inclusive, translations of Chinese communications, taken out, and a Chinese Title deed, and other extraneous matter inserted. The place where this extraneous matter has been stitched in and the stitches themselves, are quite apparent. One of the missing documents, marked 3457. dated 20th March, 1873., another not numbered, dated April 1873, and a third without number or date, all translation of communications

relating

relating to the Woosung Railway, made and certified to by Joseph Haak (then acting Interpreter in this Consulate General) and all stamped with the office stamp "United States Consulate General, April 3rd 1873." are among the papers found in the safe among Mr. Bradford's "private documents".

"Again, in the volume of translations for "January to June 1874" which possess an index which calls for a Communication to "A.B. Bradford D.C.G." on page 118. This is wanting, a number of leaves have evidently been cut from the book, and a warrant, notices to Mariners &c, been inserted, and the book stitched together again, giving it a most irregular and incongruous appearance. The volume marked Chinese "Authorities January to June 1876" is of the same heterogeneous and incongruous character.

In fact the state of the records of this Consulate General, of correspondence with Chinese officials, is the most disorderly, perplexing and disgraceful

I

I also feel constrained to add, that it has been discovered that many of the translations of despatches into Chinese have been found differing widely from, or inconsistent with the English originals, and Conversely, To my personal Knowledge, controversies have arisen within a short time past between this Consulate General and the Chinese officials from this cause, leading to results very mortifying to us. I do not think it possible to remedy the past, but for the honor and interest of the United States of America, I submit, that an entire change, is absolutely necessary to be inaugurated at once. Time would not allow me to say more, nor does it seem necessary at this time.

I am Sir.

Very respectfully
Your obedient Servant
D. Bethune McCartee

Interpreter.

The
North-China Daily News.

SHANGHAI, OCTOBER 23, 1877.

U. S. CONSULATE-GENERAL.

Shanghai, 22nd October.
Before the Hon. G. W. WELLS,
Consul-General.

UNITED STATES *v.* OLIVER B. BRADFORD.

Prisoner for many years has occupied the position of Vice-Consul at the United States Consulate-General, Shanghai; and he was charged with having violated the United States Postal Laws. His arrest was made on Saturday evening, as briefly announced in our issue of yesterday; and as it was generally known that he would be brought before the Court to-day, about fifty residents assembled at ten o'clock to hear the proceedings. The prisoner was brought into Court by the Marshal, and accommodated with a seat at the table at which solicitors generally sit.

The COURT opened the proceedings by reading the subjoined affidavit:—

In the Court of the United States Consulate-General.

UNITED STATES *v.* OLIVER B. BRADFORD.

Before the subscriber, a United States Consul-General, Acting Judicially, within and for the Empire of China, personally appeared D. J. Macgowan M.D., who being duly sworn deposes and says, that on or about Jan. 1st, 1877, Oliver B. Bradford being then and there a citizen of the United States of America, and being then and there acting United States Postal Agent, or Deputy United States Postal Agent, at Shanghai, China, and having then and there charge of the United States mails, did then and there unlawfully take from and out of the aforesaid United States mail a letter, which was intended to be carried by the aforesaid United States mail and lately deposited by the said D. J. Macgowan, M.D., aforesaid, addressed to General W. Myers, San Francisco, California, United States of America, and did then and there unlawfully open said letter with intent and design then and there to obstruct the correspondence of the aforesaid D. J. Macgowan, M.D., and General W. Myers, and did with the further intent and design open the aforesaid letter for the purpose then and there to pry into the business and secrets of the aforesaid Macgowan and Myers, contrary to the form of the statutes in such case made and provided, and against the peace and dignity of the United States of America.

Sworn to and subscribed by D. J. Macgowan, M.D., before me this 20th day of October, 1877.

Signed G. WILEY WELLS,
United States Consul-General,
Acting Judicially.

The COURT (addressing the prisoner)—To this charge what have you to say. Do you plead guilty or not guilty?

Prisoner—Not guilty. I never knew of any such a letter; I never knew that Dr. Macgowan had addressed a letter to General Myers, and I am not aware that I ever saw such a letter.

The COURT—Are you ready for the hearing of the charge?

Prisoner—Yes, Sir.

The COURT—Then, Dr. Macgowan take the stand.

The COURT—I wish the reporters to note what the prisoner has pleaded—that he says he knows nothing of a letter from Dr. Macgowan to General Myers, that he never saw such a letter, and that he never had such a letter in his possession.

Prisoner—I should like to supplement or correct what I said. A letter of that kind may have passed through my hands and therefore have been in my possession, and I know nothing about it.

The COURT—I understand you.

Dr. MACGOWAN was sworn and questioned by the Court—Please state Doctor, whether or not you are the party that signed the foregoing affidavit, making the charge against the prisoner? Yes, it is my signature.—The charge states that you mailed, sometime in January of this year, a letter addressed to General William Myers, of the United States Army, San Francisco, California. Is that true? Yes.—Where did you mail that letter? In the United States Post Office at this Consulate.—Have you ever seen that letter since? No.—Have you ever received any reference to it? None.—State what this document is? (handing same to witness.) This is a copy of a letter that I addressed to General Myers of the United States Army, San Francisco, California—the one I referred to as having mailed in the Post-Office of this Consulate.—Is it full and complete? Yes, but I have not read it.—Read it then? To the best of my knowledge it is a correct copy of my letter to General Myers. There may be some slight verbal differences, but it is my letter.—And why did you mail it? To be carried by the mail to the United States.—And it was stamped and sealed? Yes.—That is, then, a copy of the letter you mailed here for the purpose of being conveyed to San Francisco, and it was stamped and sealed? Yes Sir.—That is all, Doctor.

The COURT—Have you any questions to ask the witness, Mr. Bradford?

Prisoner—No, I don't know of any questions I have to ask him.

JOHN J. COFFEY, one of the clerks at the Consulate, was next examined by the Court—Examine that paper (the copy of the letter) and state if you know whose writing it is? It is Mr. Bradford's writing.—What is it? It is a copy of a letter.—Who is it signed by? It is signed "M."—Is there any other signature? Yes, "D. J. Macgowan, yours truly."

The COURT—Have you any questions to ask the witness, Mr. Bradford?

Prisoner—No, I have nothing to ask him.

Dr. D. B. MCCARTEE, the interpreter at the Consulate, was next called. The Court—Examine that (the copy of the letter) and state if you know whose writing it is? I believe it to be the writing of Mr. Bradford.—How is it signed? It is signed "D. J. Macgowan."—What does it purport to be? A private letter from Shanghai to General Myers, San Francisco; there are some telegraphic names here I don't understand.—But it is a private letter? Yes.

The COURT—Was your letter, Dr. Macgowan, addressed in telegraphic characters?

Dr. MACGOWAN—No, I should have remarked that, with that exception, the paper produced is a full and complete copy of my letter to General Myers.

The COURT—Have you any questions to ask?

Prisoner—No.

The COURT—I believe this is all the evidence that is to be brought before me. I should like to know, Mr. Bradford, whether you have any defence to offer or any witnesses to call. Have you any evidence?

Prisoner—I have no witnesses, but I can explain it (the copy of the letter.)

The COURT—I will hear any statement you may wish to make. You can make any explanation you like. I wish to allow you, as this is a criminal proceeding, every privilege known to the law. Under the rules for criminal proceedings in this Court you are entitled to make any explanation you like, but you cannot be sworn. It is, however, my duty to inform you that any admissions by you may be used against you.

Prisoner—I can account to you for that paper. I will make a statement.

The COURT—Well, make any statement you desire.

Prisoner—About the end of March, 1877, a letter, of which this is a copy, came into my hands, and I made this copy of it. I supposed that when I made the copy of the letter, the original had been addressed to the Consul-General here at that time, Mr. Myers. This is the first intimation I have had that the letter belonged to General Myers of San Francisco.

The COURT—Who is it addressed to, is not your copy addressed to General Myers, San Francisco?

Prisoner—There were two letters, this and another one. I simply made a copy. I presumed they had been to San Francisco and returned to Shanghai. There would have been about time for that if this letter, as it appears, was sent early in January. There were two letters belonging to Mr. Myers. I found them on his desk, and I made this copy of one, and I believe you have my copy of the other. It was the end of March, and there would have been time for the originals to have gone to San Francisco and to have come back to Shanghai.

The COURT—Gone from Shanghai to San Francisco and back again to Shanghai. There is no date as to whether it went in the first part of January or the latter part. Mailed in January it could have come back in March.

Prisoner—Yes, there was time. As to opening any letter I never did, and I never saw this letter until about the end of March. That is all the explanation I have to give.

The COURT—I understood you to say at the outset—in your first statement—that you had never seen a letter that passed between Dr. Macgowan and General Myers, nor any letter of the kind, and that you never had such a letter in your possession?

Prisoner—Not on the 1st January. I understood you to refer to the 1st January. I never saw it until the end of March, and I say now there was time for it to have been to San Francisco and returned.

The COURT—You could not have understood the first of January or January, as the copy was not referred to; and I do not think you knew at the commencement of these proceedings that the Court had the copy. What is the reason you used telegraphic characters for the name of the person to whom it was addressed?

Prisoner—I don't know why. I am in the habit of using them occasionally.

The COURT—You acknowledge the copy of the letter to be in your handwriting.

Prisoner—Yes, and I think I can tell you within two or three days when I made the copy. It was during the time the investigation was going on between Mr. Seward and Mr. Myers.

The COURT—Have you the original letter?

Prisoner—No.

The COURT—What did you do with it?

Prisoner—I put it on the desk where it was found.

The COURT—Is that all you have to say?

Prisoner—I may repeat that the first I ever saw of that letter was in the end of March, and I don't know where it came from except from Mr. Myers's desk. As to taking it out of the mail or anything of that kind I never did—I am above anything of the kind, and I deny most positively that I ever did.

The COURT—The Court will say, since you make this statement, that it has come in possession of knowledge with regard to other letters that could not possibly have been received here by parties—letters opened and found among your papers, although the parties are not now in Shanghai.

PRISONER—I think I can explain that also.

The COURT—I have heard your explanation in regard to the letter now in question. Have you anything more to add?

PRISONER—No, nothing more. These are the simply facts. I have nothing to conceal about it. I made the copy from an open letter.

The COURT—The law under which you are arrested is sections 3,891 and 3,892 of the laws regulating the Postal Services in the United States. I will read the law:—

SEC. 3,891. Any person employed in any department of the postal service, who shall unlawfully detain, delay, or open any letter, packet, bag, or mail of letters intrusted to him, or which has come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any mail-carrier, mail-messenger, route-agent, letter-carrier, or other person employed in any department of the postal service, or forwarded through or delivered from any post-office or branch post-office established by authority of the Postmaster-General; or who shall secrete, embezzle, or destroy any such letter, packet, bag, or mail of letters, although it does not contain any security for or assurance relating to money or other thing of value, shall be punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than one year, or by both.

SEC. 3,892. Any person who shall take any letter, postal card, or packet, although it does not contain any article of value or evidence thereof, out of a post-office or branch post-office, or from a letter or mail carrier, or which has been in any post-office or branch post-office or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or pry into the business or secrets of another, or shall secrete, embezzle, or destroy the same, shall, for every such offence, be punishable by a fine of not more than five hundred dollars, or by imprisonment at hard labor for not more than one year, or by both.

The COURT—In coming to a consideration of your explanation and of the charge, the Court is obliged to state that it is a matter which deeply pains him. In all the officials positions I have occupied, in all the circumstances in which I have ever been placed, I never have had a matter which was surrounded with so many embarrassments as this seems to present; not that I am at all in doubt in regard to your guilt. I am as well satisfied of your guilt of opening the letter as if I had seen you do it. I am convinced beyond a reasonable doubt, that you are guilty. If I had a doubt, I would give you the benefit of that doubt. But all the circumstances conspire to point to you as having that curiosity, which, with your zeal, has carried you beyond the law. You have seen fit, as an officer entrusted with the mail in which are great and important secrets—official secrets, secrets that affect the commercial world, family secrets—you have seen fit to invade that sanctuary, to violate your oath and office, and descend to the mean offence of prying into the secrets of others to satisfy your curiosity by opening a letter. The evidence is that a letter stamped and sealed was mailed at this Consulate for San Francisco, and it is utterly impossible to account how you could have obtained a copy of it on any other hypothesis than that you opened it. But you say the letter was found after it was returned from San Francisco. How was it you first said you had never seen such a letter at all, and were not aware such a letter was in existence. But when you were confronted with the copy of it in your own handwriting, and you knew your handwriting was recognised, you then said that it was found on Mr. Myers's desk, and that it had had time to go to San Francisco and return. Both explanations are lame excuses indeed to try to avoid the penalty of the law you have incurred. And while I say this is a very painful matter to me, yet I will not shrink from the responsibility that rests upon me. You have violated the law, according to the evidence produced, and it now becomes my duty to pass sentence upon you for that offence.

Prisoner (interrupting)—May I speak, sir. Do you propose to pass sentence now?

The COURT—Yes, unless you have something further to say. If you have I will hear you.

Prisoner—I think my word is as good as my accuser's word, or of any of the evidence that has been offered. I adhere to my statement that I never saw the letter until towards the end of March, 1877. Where it had been in the meantime I don't know. It might have been to San Francisco. There might have been time for it to go there and come back again. I could soon ascertain that by looking at the departure of the mails. The letter was on Mr. Myers's desk, and I took a copy of it for Mr. Seward. That is all I know about it, but I should like to be put on oath.

The COURT—The law does not allow you to be put on oath. You are allowed to make any statement you like, and any statement you make that militates against you will be

used in evidence against you. And I will further say that if you wish the sentence to be deferred for a few days, the Court will postpone it to afford you every reasonable opportunity to vindicate yourself. You have made your statement, and that statement is before the Court; and with your explanation fresh before me, I may say there is not a doubt on my mind of your guilt. That a letter addressed to General W. Myers of San Francisco was mailed here there can be no question, that it was stamped and sealed there is not the least doubt, that you had charge of the Post office there is no doubt, and now a copy of that letter is found in your possession, in your own handwriting —an exact copy of the original. You have not denied but admitted that it is in your handwriting, and your explanation is that you found the letter somewhere. That does not excuse you in the least, for it was addressed to General Myers at San Francisco. It was placed in the Post office. You were the post-master. It was your duty to forward letters and see that they were not tampered with; in fact even if the letter had been open you had no right under the law to take the letter out and read it, much less make copies for your own private use.

Prisoner—I copied the letter, but the way in which it came into my hands was from Mr. Myers's desk about the end of March. It was on or near the 27th March, I believe. The letter was in the envelope unsealed. If I had taken the letter out of the mail I would say so—just as soon say so. I am not at all afraid of the penalty of the law. If I in any way had tampered with the mail I would confess it. My reputation in Shanghai is a pretty good one I hope, and I don't think that any one man in Shanghai would believe that I did what I am now accused of doing. I have nothing to conceal. If I took the letter out of the mail I would say so like a man and as an officer of the United States, as I have been here for a great number of years; and you too, would respect me all the more for it. The explanation that I have given as to how the letter came into my hands is God's truth—I never heard of the letter before March. I never knew it was in existence. To the best of my recollection I never saw any letter addressed to General Myers of San Francisco. I did not know anything about this letter at all until the end of March in one way or another, and as for taking it out of the mail I never did, and I call God as my witness.

The Court—Any letter deposited in this building to be forwarded by mail is in a United States Post office, to all intents and purposes.

Prisoner—I quite understand. It was not in my hands in any way so far as I know—so far as my recollection goes—and whether it was in my hands or not my statement is not in the least affected by it. There is no evidence that the letter ever came into my hands in January; the evidence that it did come into my hands is the evidence which I have given myself. That there was time for the letter to have gone to San Francisco and back again by about the 27th March no person will, I think, deny. There was plenty of time for it to do that if the mail left about the 1st January. It may have been sent from the person it is addressed to, to Mr. Myers who was then Consul-General here. By him it was left on his desk with various other papers and letters—public and personal —and on going to get an official document one afternoon I saw this particular letter and I made the copy.

The Court—In other words your explanation is, then, that you abstracted a letter from a drawer of the Consul-General's, and copied it. Is that so?

Prisoner—No I did not abstract it.

The Court—Either you abstracted the letter from the Consul-General for your own purposes, or you took it from the mail and copied it. You must take one or other of these two alternatives. If you abstracted a letter from the Consul-General and copied it for purposes of your own, or took it and copied it for some one else, you did a very reprehensible act.

Prisoner—Yes, it was on the desk in the other room. The letter was lying there and I copied it. I had no interests of my own to serve, and things were in a very peculiar state at the Consulate at that time.

The Court—Mr. Bradford, the Court would be glad if you could give an excuse such as, to its mind, would justify it in discharging you. But with every latitude I can give you, and after hearing every statement you have made—some of which conflict with your former statements—it has no doubt as to your guilt. Whether, as you say, you abstracted the letter somewhere (that in fact you stole the letter from the Consul-General's desk), and copied it for your own motives, or whether, as is said, you took the letter from the United States mail, it will make no difference unless you can prove that the letter came into your possession legally. The evidence is that there was a letter mailed here, stamped and sealed, addressed to General Myers—that is positively sworn to; there is no doubt or question about that; neither is there that a copy was found in your possession, in your hand-writing, of that identical letter; no one denies that. How, when or where you obtained the original, no one but you and your God knows; the presumption of law is that it being in your possession as post-master, and no one else having access to the mails except through you, not even the Consul-General, that you opened it and made the copy. And I beg to remark that had anyone else,—an ordinary clerk, a Chinaman, or an ignorant man—been guilty of your conduct, the offence would not have appeared to the Court so heinous as it does in your case. The fact of a man holding such a position as yours, a responsible person such as you were,- one enjoying every power, who indeed has sat on this Bench where I am sitting and exercised the judicial powers of this office, who had the custody and control of the mail,—such a person having committed the offence demands immediate and severe punishment. Under all these circumstances, and the evidence before me. I feel that I should not discharge my duty if I did not enforce the law. Had I a doubt, I would give you the benefit of it; and while I do not doubt your standing in the community, so far as the outside world may know, and that it was of a high character; yet I am compelled and constrained to say that facts and circumstances, of which I will not speak, are known to me which confirm your guilt as proved here on the stand. I should feel I had been remiss in my duty if I did not inflict the penalty of the law; yet I am willing that you should have time to consider the matter and to give you a re-hearing. I am willing now to wait until some future day before passing sentence if you do so desire; but I have expressed to you my conviction, and it will take evidence of a positive character beyond what you have urged to remove the impression, in fact the proof which to my mind "is as strong as Holy writ." Are you ready to be sentenced now?

Prisoner—No. I would prefer to wait.

The Court—For how many days.

Prisoner—I should like three or four weeks.

The Court—The Court would not be willing to grant that length of time. It would be unreasonable, and I don't think it would favour or further the ends of justice. Other matters are to be considered, and I don't think such a length of time would be advantageous. I will set the case if you like to be heard next Saturday week. That will give you ample time to consider the matter, and to prepare any defence you may have to prepare.

Prisoner—Will you allow me to say a few words to you privately for a moment?

The Court—Certainly.

The Court and the Prisoner then consulted together for a few minutes.

When the prisoner had resumed his place in the Court,

The Court said—Mr. Bradford, are you ready for sentence?

Prisoner—Yes.

The Court then passed sentence as follows:—Mr. Bradford, you have been found guilty, after a hearing of the testimony in your presence, of having opened and abstracted a letter from the United States mail, for the purpose of obstructing the correspondence between the parties named and of prying into the secrets thereof. In passing sentence upon you, I can only refer to what I have already said; but I will add that I wish this cup could pass from me. Your position here with me has been that of a subordinate, and one that I would have preferred should have continued if you had been found worthy. But you have not. You have followed the devices of your own heart; you have forgotten God and His commandments. You have violated the law, and you have prostituted your office. But the Court does

No. 3.

Trial of O. B. Bradford for violation of Postal laws. —

or give you pain by any additional words; and so, without going into the matter further, the Court will sentence you to pay a fine of $250 and the costs, and imprison you in the gaol of this Consulate for twenty days without hard labour. Mr. Marshal, adjourn the Court, and commit the prisoner to gaol.

The prisoner was accordingly removed by the Marshal, and the Court adjourned.

Mr. Wells Shanghai
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DEPARTMENT OF STATE
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No. 7. United States Consulate General.

Shanghai October 23rd 1877.

Mr Wells to the Department of State.

Subject.

Loss of the "Florence Bailey".

Abstract of Contents.

Refers to Mr De Lanos No. 193, and supports his recommendation that suitable acknowledgment be made to Captain Samuel Ashton of the "Yesso," and to the Chinese officials at Foochow, for their exertions to save life and property at the wreck of the "Florence Bailey".

No. 7.

United States Consulate General,
Shanghai, October 23rd 1877.

Honorable John A. Campbell.
Third Assistant Secretary of State
Washington.

Sir;

I have the honor to send to Mr De Lano's dispatch to the Department, No. 193, and to hereby approve his recommendation that some suitable acknowledgment be made to Captain Samuel Ashton of the "Yeso", and to the Chinese Authorities at Foochow, for their services rendered to Captain Clark and Crew, of the American Schooner "Florence Bailey". It would, I think, have a good effect upon the Chinese, if such services on the part of the provincial officials, could be recognized, and if the people resident on the sea coast and islands adjacent thereto, could expect that

kindness

kindness shown to foreigners in distress would be rewarded, they would be the more disposed to render assistance when occasion required.

Such acknowledgments made through the Legation to the Central Government, would in their transmission from the Capital by the usual channels, become more widely known of, than if conveyed in an instruction direct to the Consul.

I am,

Sir,

Your obedient servant,

D. Willys Miller

Consul General.

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DEPARTMENT OF STATE
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No. 8. United States Consulate General.

Shanghai, October 23rd 1877.

Mr Wells to the Department of State.

Subject.

Nomination of Consular Clerk.

Abstract of Contents.

Recurs to telegraph dispatch informing Department of the death of Mr Hendrick, and asking confirmation of nomination of Mr Lee, as Consular Clerk, by telegraph.

No. 8. United States Consulate General.

Shanghai, October 23rd 1877.

Honorable John A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir;

On the 25th September, I had the honor to send you a dispatch by telegraph as follows.

"Honorable Campbell
"State Department
"Washington.
"Hendrick, Consular Clerk, dead.
"Recommend B. W. Lee for vacancy.
"Promptness desirable.
"Wells."

I now desire to confirm my request for the appointment of Mr Lee, who is an able and efficient man, and I believe well qualified to fulfill the duties of the office; and to ask that the vacancy be filled at as early a date as is possible. If the Department

Could

Could advise me by telegraph that the appointment had been made, it would be very acceptable.

I am,

Sir,

Your obedient Servant.

G. Wiley Wells

Consul General.

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No. 9. United States Consulate General.
Shanghai, October 23rd 1877.

Mr Wells to the Department of State.

Subject.

Confirmation of telegraphic dispatch of September 19th.

Abstract of Contents.

Sensing to the Department particulars as promised in telegraphic dispatch, and confirming same.

No. 9. United States Consulate General.
Shanghai, October 23rd 1877.

Hon John A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir;

On the 19th instant I had the honor to send you a dispatch by telegraph, as follows;

"Secretary Campbell"
"State Department
"Washington.

"Wish immediate authority — "suspend Bradford. Guilty fraud, and "Corruption in office. Items by mail"
"Wells".

I now desire to confirm the above telegram, and am sending to the Depart — ment with this, a dispatch, No. 6, containing the particulars promised in my telegraphic dispatch.

I Am, Sir, Your obedient Servant,

D. Wesley Wells
Consul General.

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No. 10. United States Consulate General.

Shanghai October 23rd 1877.

Mr Wells to the Department of State.

Subject

Impracticability of sending quarterly returns from Consulate General.

Abstract of Contents.

Reasons for not forwarding the returns of the Consulate General, for the 3rd quarter of 1877, owing to the want of Clerical assistance, and the confused state of the books from which the returns are made.

No. 10.- United States Consulate General.
Shanghai October 23rd 1877.

Hon J. A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir;

I have the honor to state, that owing to the present limited and inadequate Clerical force in this Consulate General, Mr Hendrick having died and Mr Bradford having been removed, as well as to the state of the books kept by Mr. Bradford, it will be impossible to transmit to the Department, by this mail, the Returns for the 3rd quarter of 1877. They shall be forwarded by mail as soon as the books can be so adjusted as to allow of correct returns being made out.

I am,

Sir,

Your obedient Servant.

Consul General.

Private subject
received

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No. 11.

United States Consulate General.

Shanghai October 23rd 1877.

Mr Wells to the Department of State.

Subject

Appointment of Marshal at Tientsin.

Abstract of Contents.

Recurs to Mr Dennys dispatch No. 8, and approves his nomination of Mr Charles E. Hill as Marshal at Tientsin.

No. 11.

United States Consulate General.
Shanghai October 23rd 1877.

Honorable John A. Campbell.
Third Assistant Secretary of State.
Washington.

Sir.

Recurring to the subject of Mr. Denny's dispatch to you No. 8, I have the honor to hereby signify my approval of his nomination of Mr Charles E. Hill, as Marshal at Tientsin.

I am,
Sir,
Your obedient Servant,
S. Wells Williams
Consul General.

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No. 12 United States Consulate General at Shanghai

October 24th 1877.

Mr. Wells. to the Department of State

Subject—

Resignation of R. Phoenix Esq—
as U.S. Marshal.

Abstract of Contents

Resignation of Mr. Phoenix accepted and a request that no appointment be made at present.—

No 12. United States Consulate General
Shanghai October 24th 1877.

Hon. J. A. Campbell
Third Assistant Secretary of State
Washington D.C.

Sir:

I have the honor to inform you that R. Phoenix Esq. U.S. Marshal at this Consulate General, has this day tendered his resignation to take effect on the 30th Inst. a copy of which is here with transmitted, and that I have accepted the same.

I am not prepared at this time to name a successor to Mr. Phoenix and would request that no appointment be made at present.

The office is one of very great importance and responsibility. I desire time to consider the subject of a recommendation in order that I may thereby be enabled to recommend for appointment a person who will be qualified to discharge the duties of the office and reflect credit upon the Government.

I am Sir
Your obedient Servant
D. Wiley Wells
Consul General.

Over

– Inclosure. –

Resignation of R. Phoenix Esq. U.S. Marshal at this Consulate General to take effect on the 30th Prox. –

DEPARTMENT OF STATE
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No. 1.

United States Consulate General.

Shanghai, October 24th 1877.

Hon. S. Wiley Wells,
Consul General.

Sir,

I have the honor of tendering to you my resignation of the office of Marshal of the Court of this Consulate General, to take effect on the 30th of November next. Business of great importance to me has made this step imperative, and I regret that it has caused me to sever my connection with the Consulate General.

I am,
Sir,
Your obedient servant.
Richard Phoenix.
Marshal
of the Consular Court.

Mr Wood

Shanghai.

DEPARTMENT OF STATE RECEIVED OCT 26 1877

Fremont House, Washington, D.C.
26th. October 1877.

Hon. John. A. Campbell.
3rd. Asst. Secretary of State.

Sir,

I have the honor to hand you my transit account from Shanghai, China, to my home in Nebraska.

In consequence of fifteen (15) days delay at Yokohama caused by the loss of the Steamship "City of Tokio's propeller, the number of days occupied on the route was Sixty five (65).— I therefore ask that pay for sixty five (65) days may be allowed, Nine hundred and two Dollars and eighty five cents ($902 85/100).

I have the honor to be, Sir,
Your Obt. Svt
John C. Myers
Consul General.

Under Suspension.

P.S. I received notice of suspension by the President on 12th. July 1877, and ask for allowance of salary to that date.

No O/C. seen
Myers
26 Oct

Settle M

Mr Wood

DEPARTMENT OF STATE
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ack January 16/78

No. 13.

United States Consulate General
at Shanghai.

Mr. Wells. — to the Department of State

Subject - Trade with China.

Abstract of Contents.

Acknowledges receipt of Instructions.

No. 13.

United States Consulate General
Shanghai October 30th 1877.

Honorable J. A. Campbell
Third Assistant Secretary of State
Washington D.C.

Sir:

I have the honor to acknowledge the receipt of the "Separate" letter of instructions of the Department, under date of August 16th current, on the subject of supplying to the Department, from time to time, such information and suggestions as I may be able to offer as to methods of fostering and extending trade between the United States and China.

The subject shall have my most careful attention.

I have the honor to be,
Sir,
Your obedient servant,

Consul General

Mr Wood
ack January 16/78

DEPARTMENT OF STATE
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No. 14. United States Consulate General.

Shanghai November 3rd 1877.

Mr. Wells to the Department of State.

Abstract of Contents.

Acknowledging receipt of Departments despatch No. 44.

No. 14.

United States Consulate General
Shanghai November 3rd 1877.

W. Hunter Esq.
Second Assistant Secretary of State
Washington, D.C.

Sir:

In acknowledging your despatch
No. 444. to Oliver B. Bradford Esq. Vice Consul
General &c. I have the honor to inform you,
that the instructions therein contained, have
been complied with, and that a copy of the
enclosure viz: Mr. Sherman to Mr. Evarts,
has been transmitted to each of the Consular
officers under my Jurisdiction.

I am,
Sir,
Your obedient Servant.

Consul. General.

K. Despatch

Wood

REPORT

Dec. 14, 1877.

The nomination of Mr. Howland to be Consul at Hankow is believed to be a fitting one. When Mr. Shepard was Consul at Swatow, Mr. Howland was his Vice; after the place was made an agency under Amoy he was appointed Consular Agent and is such still. Mr. Shepard was appointed to Hankow after the abolition of Swatow. Mr. Howland evidently made a good officer in his former place or Mr. Shepard would not again take him up. The Dept. has never had occasion to complain of him.

With regard to Mr. Bryant, the present Marshal at Hankow, who is nominated for the office of Interpreter, it is proper to say that he appears to have been a good officer. The salary of Interpreter at Hankow cannot be increased from $750 to $1500 or to any intermediate figure, as the Consul suggests, consistently

action by Congress. The law fixes the salary of that office (see Paragraph 1115 of the Consular Regulations page 355.) If Mr. Bryant desires the place, at the fixed salary, for the ~~term~~ and it will give him in pursuing his studies no objection is perceived to bestowing it upon him.

A. W. Clements

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No. 15. United States Consulate General.
Shanghai November 5th 1877.

Mr. Wells. to the Department of State.

Subject. Mr. Shepards despatches No. 33 & 34.

Abstract of Contents.

Approving nominations of Wm. Otis Howland Esq. as Vice Consul, and of Nelson E. Bryant Esq. as Interpreter at Hankow.

No. 15.

United States Consulate General
Shanghai November 5th 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington D.C.

Sir:

In conformity with Consular Regulations Article III paragraph nineteen, I have the honor to refer to Mr. Sheparda despatches No^s 33. and 34, and to hereby signify my approval of his nomination of Mr. Wm. Otis Nowland as Vice Consul and of Mr. Nelson E. Bryant as Interpreter, at Hankow.

I am,
Sir,
Your obedient servant
[signature]
Consul General.

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No 16. United States Consulate General
Shanghai November 9th 1877.

Mr. Wells. to the Department of State.

Subject: Undocumental vessels.

Abstract of Contents.

...espatch No. 39.
...at such vessels
...operty. &c.

File with this communication.
Consular Bureau
for report.
Department circular of the 11th of July 1873 in my opinion regulates this question that circular is in accordance with the law of the U.S. on the subject as that law is understood at this and the Treasury Dept and I think it is the wisest business to administer not to try to make law
File 21st H. Comms

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No 16. United States Consulate General
Shanghai November 9th 1877.

Mr. Wells. to the Department of State.

Subject:- Undocumental vessels.

Abstract of Contents.

acknowledges receipt of despatch No. 39.
suggesting a condition that such vessels
should be bona fide property. &c.

No. 16. United States Consulate General
Shanghai November 9th 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington D. C.

Sir:

I have had the honor to receive the Departments instructions No. 39. addressed to Mr. O. B. Bradford, relating to Mr. Shepards despatch No. 12. of May 21st.

I am informed by Mr. Bradford that when addressing to the Department his No. 80. he did so in view of the fact that he considered the subject of undocumental vessels, as being under advisement at the Department, to which Mr. Seward, had addressed his despatch of response No. 1008.

The Lorchas running on the Yangtsze river, and to Ningpo, obtain the same privileges at the U. S. Consulates, as do other trading sailing vessels.

They

They are a peculiar class of craft, and are, in many cases owned by Chinese, but represented and Commanded by foreigners: In most cases, the Commanders are men of little ability, their position when on board, being quite subordinate, to the Chinese super-cargo.

Complaints frequently are made against these vessels for smuggling, but they have seldom been successfully maintained. The fees when these vessels have been notified at this office as running regularly between ports, were Charged four times a year under the provisions of a circular from the Department on that subject.

While not desiring to abridge the right of Americans to purchase or represent vessels, I think that a condition, that they are the bona fide property, and sailed solely in the interests of their reported owners, would do much towards preventing a continuation of practices, encouraging

Caulers

careless transactions on the river which are likely at any time to cause trouble between the Chinese Government and the class of vessels named.

I am,

Sir.

Your obedient servant,

[signature]

Consul General.

W. W. Woods.

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No. 17. United States Consulate General
Shanghai November 19th 1877.

Mr. Wells:
To the
Department of State.

Abstract of Contents.

Acknowledging receipt of despatch No. 45. K/
to Oliver B. Bradford Esq. Vice Consul General.

No. 17. United States Consulate General
Shanghai November 19th 1877.

Honorable W. Hunter:
Second Assistant Secretary of State.
Washington. D. C.

Sir:

I have the honor to acknowledge the receipt of your despatch No. 45. K/. addressed to Oliver B. Bradford Esq. Vice Consul Genral

I am, Sir,
Your obedient servant.

Consul General.

DEPARTMENT
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No. 18. United States Consulate General
Shanghai November 19th 1877.

Mr. Wells —
To the.
Department of State.

Abstract of Contents.

Enclosing copy of Marriage certificate of Andrew Stritmatter and Lucinda L. Combs.

No. 18. United States Consulate General.
Shanghai November 19th 1877.

Honorable J. A. Campbell.
Third Assistant Secretary of State.
Washington. D.C.

Sir:

Enclosed I have the honor to hand you a copy of a Certificate of Marriage between Andrew Stritmatter of Pennsylvania, and Lucinda L. Combs of New York, which ceremony was performed, in my presence this instant.-

I am,
Sir.
Your obedient Servant.
[signature]
Consul General.

Enclosure.
Copy of Marriage Certificate.

United States Consulate General.
Shanghai November 19th 1877.

I, G. Wiley Wells, Consul General of the United States at Shanghai do hereby certify that on this 19th. day of November A. D. 1877. at the residence of the Rev. D. W. Lambeth, in the city of Shanghai, — Andrew Stritmatter, aged 30. years. born in Pennsylvania, and now residing in Tientsin, and Lucinda L. Combs, aged 28 years, born in New York, and now residing in Peking. were united in marriage before me, and in my presence, by Bishop D. W. Wiley, who is authorized by the laws of the District of Columbia, to perform such a ceremony. —

In witness whereof, I have hereto subscribed my name, and affixed the seal of the Consulate General, at Shanghai, this 19th day of November. A. D. 1877, and of the Independence of the United States the 101st

(Signed) G. Wiley Wells. —

United States Consul General

File

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DEPARTMENT RECEIVED JAN 10 1878 OF STATE

No. 19. United States Consulate General.

Shanghai November 20th 1877.

Mr. Wells.

To the.

Department of State.

Subject:

Clerical force of Office.

Abstract of Contents.

Responding to the Departments' Circular of the 28th July. marked "Separate".-
Giving outlines of dispositions of allowances for clerical salaries.-

No. 19. United States Consulate General
Shanghai November 20th 1877.

Honorable J. A. Campbell
Third Assistant Secretary of State.
Washington D.C.

Sir:

In response to the Department's Circular of the 28th ult. marked "Separate", I have the honor to report:

I find that the whole of the allowance of $2000.- per annum for "Special Clerk hire" has been paid to Mr. D. J. Coffey an American citizen, since July 1875.

That Mr. W. H. Hendrick an American citizen was paid his salary of $1000.- per year, under his commission as a Consular Clerk, and $250.00/100 per annum, additional, from the Postal Agency until the date of his decease in September last.-

That Mr. O. B. Bradford an American citizen, has been paid his salary of $1200.- per annum, as a Consular Clerk, and, until November 1st ult. 1876. $150.- per month additional

from.

from the Postal Agency; That from November 1st 1876., the sum paid to him from the Postal Agency was discontinued by the order of Mr. Myers, Consul General, and he was therefor, until February 1st 1877. paid his said salary as Consular Clerk.- He also retained the fees of the Clerk of the Consular Court, which, I should judge, from the bills I have examined, would amount, as charged by Mr. Bradford, to about $2000.- per. annum.- Mr. Bradford also retained $100.- per. month out of the private funds of Mr. Myers. Mr. Bradford claiming he was authorized so to do. by Mr. Myers.- I find a letter on file in this Consulate written by Mr. Myers, to Mr. Bradford, wherein Mr. Myers protests against his taking his private funds &c. That after February 1st 1877. in addition to his salary of $1200.- per. annum, as Consular Clerk. (The $100.- per month, being discontinued) after which date, he retained the fees of the Clerk of the Court, and all fees, which he, (Mr. Bradford) regarded as unofficial fees.-

Mr. Bradford held also the offices

of

of Vice, and Deputy Consul & General. but received no amount from any other appropriation, as Deputy or Vice Consul General, up to the 27th of March. 1877.

I am, informed, that in selecting the Clerical force of, this office., there was, then, little or no choice, to be had. and while the work of the office has been carried on. it could have been better accomplished, with a more, even distribution of the duties. had a choice of ability been at hand, when the services were engaged. with one, exception to which I call especial attention: Viz:

Mr. D. D. Coffey who is the Cashier, and Shipping Clerk of, this office. I find him competent, and efficient. he having discharged the duties of the post, in a most careful and, trustworthy manner. his department being a credit to, this Consulate General.

I am,
Sir:
Your obedient servant.

D. Willis Wells
Consul General

Cons. Gen. E.

Ack. Rec'd Nov. 30 (1877)

United States Consulate General
Shanghai November 20th 1877.

Mr Wells. To.
Rec'd for report April 22d
Repl'd to Secretary " 28th
File Number

Department of State.

Subject:—
Report on charges preferred by Mr. J. C. Myers, late Consul General, against Mr. O. B. Bradford, Vice, and Deputy — Consul General, and Consular Clerk.—

Abstract of Contents.

First — Official positions held by O. B. Bradford. Second — Woosung Rail Road. — projector, organizer, Stockholder. &c. — Official position used to promote scheme. — Estrangement of Chinese Officials. — built without — authority of Emperor, or agents. — Object, — personal aggrandizement. — land owned on line of said road. — land obtained by deception. — "Seward Road." Private scheme. projected to subserve private interests. against Taotai's protests. — ill feeling between Mr. Bradford and Chinese officials. — Result of scheme, — retarding of improvements in the east. — Third. — Discourteous Conduct. — Diversity of opinion. — Conclusions and illustrations of conduct. —
Fourth. — Dishonesty. — Official fees retained

retained.- Amount retained. responsible for receipts and expenditures, and report of fees.- Description of book of original entries of Cash received.- method of keeping books.- Division of fees received. Mr. Bradfords excuse for methods.- Description of Notarial Seal used on official documents.- fees charged therefor.- Mr. Myers' Cash Account.- Alteration of Same.- explination.- Seizure of office safe.- despatches abstracted from office archives discovered.- Private letters discovered Copies of letters evidently passing through Post Office.- Sentence, and confinement in the Consular jail.- Attempt to transfer Real Estate.- Government funds in bank to private Account.- Indictment for Embezzlement.- Arraignment, plea of guilty.- Sentence suspended, bail granted.- failure to obtain bond.- Extortion as Clerk of Consular Court Keeps money of prisoners.- As Judge orders money paid to himself as Clerk of the Court. Obliges prisoner to pay prosecuting attorneys fees. Charges per centage on moneys disbursed for Post Office.- Concealment of books. Missing books. Reasons for not turning over books and moneys to Mr. Myers.- Employ accountant Accountants report on Bradfords books. Books irregularly kept. Reasons for irregularity.- Appropriation of Marshals fees.- Interference with Mr Myers Correspondence. Reason why the Merchants endorsed Mr. Bradford. Disrespectful Conduct towards Mr. Myers. occupation of rooms in Consulate building, without paying rent.-

Gas Consumed in private room Charged to Post Office. Conduct towards American Missionaries. - Reasons of office Clerks and Marshal signing protest, additional charges by U.S. Marshal. - Brutality of Sailor. - Forwarding fraudulent Vouchers. Excuse. - Death of Mr. Hendricks. - General Conclusion Many Circumstances omitted. - Instructions strictly followed. - Reason for criminal proceedure. Recommends dismissal of C.B. Bradford. - Inadequate Clerical force. -

Enclosures.

No. 1. Notes on Railroads &c.
No. 2. Calls for meetings, Reports and surveys.
No. 3. Individuals Constituting Woosung Road Co. Minutes of meeting.
No. 4. Extract from pamphlet "England & China" page 19. -
No. 5. " " " " "
Pages 18 & 19.
No. 6. Ditto. " " " "
Pages 112 & 113.
No. 7. Ditto " " " "
Pages 104. 105 & 106.
No. 8. Sir T. Wade to W. H. Medhurst Esq. -
No. 9. C. T. Kreyer " Dr. D. B. McCartee. -
No. 10. Extract from pamphlet England & China pp. 112 & 113.
No. 11. Mr. Bradford to Taotai. -
No. 12. J. M. Batchelor to C.B. Bradford.
No. 13. Report of Dr. McCartee on Woosung Railroad and Reward Road. -
No. 14. Statement of Captain G. W. Andrews.

No. 15. Baldwin Locomotive Works to Mr. Bradford.
No. 16. Extract of North China Daily News.
No. 17. Statement of Mr. Henry Sylvas as to Conduct of Mr. Bradford.
No. 18. Statement of A. T. Friend ditto.
No. 19. Report of Mr. Coffey to Mr. Wells.
No. 20. Indictment No. 83. Vs Oliver B. Bradford.
No. 21. Consular Court Minutes U.S. versus O.B. Bradford.
No. 22. Shanghai Courier and Gazettes report of proceedings of trial of O.B. Bradford.
No. 23 North China daily News ditto.-
No. 24. Editorial Shanghai Courier & Gazette.-
No. 25. Extract from Tokio times.-
No. 26. Dr. McCartees report on Post Office.-
No. 27. Mr Phoenix report to Mr. Wells.
No. 28. Statements and letter of Geo. R. Orner Accountant
No. 29. Report of trial of O.B. Bradford for violation of Postal laws.
No. 30. Letter from F.C.F. Colby U.S. Consul at Chinkiang.
No. 31. Statement of G.N. Colton Salter Esq.
No. 32. Dr. McCartees report as to false vouchers as to gas &c.-
Separate enclosure. Pamphlet entitled England & China.-

No. 20.- United States Consulate General
Shanghai November 20th 1877.-

Honorable J. A. Campbell,
Third Assistant Secretary of State.
Washington D.C.

Sir:

Recurring to your despatch No. 4 and my despatch No. 12. dated October 1877. I now have the honor to herewith submit a detailed report of the investigation made by me of the charges preferred by Mr. S. C. Myers, late Consul General, vs against Mr. O. B. Bradford, Vice Consul General, and late acting Consul General.

In submitting the results of my examination, I have thought it best to follow the order in which the charges are presented by Mr. Myers in his despatch to the Department No. dated 13th of January 1877.- Mr. Myers 1st charge is that Mr. Bradford was Consulate Clerk, Vice Consul General, Deputy Consul General, and Clerk of the Consular Court.-

I find

I find that Mr. Bradford was appointed by Mr. Myers to, and that he did discharge the duties of, all the offices mentioned, and did receive the emoluments therefor.

The second charge, sub-divided, may be stated as follows: First, that Mr. Bradford quarrelled with the Taotai, and the cause of that quarrel was a dispute in regard to certain land operations in which Mr. Bradford had a private interest viz: such as town lands in the foreign settlement of Shanghai and land connected with the Woosung Railroad. Second, that Mr. Bradford was the principal projector and stockholder in the said Woosung Railroad, and that he did obtain possession of the land upon which the said railway was located, in an underhand, and unprincipled way. Third. That the aforesaid railway was built without the consent of the Emperor of China or any of his Agents.
Fourth. That Mr. Bradford used his official positions, and the United States

Consulate

Consulate General. in, these particulars for his personal benefit, and for his self aggrandizement.-

Fifth. That he used his official position and the influence of the Consulate General to compel the opening of a new street or road, through the Chinese quarters of the Foreign Settlement, known as the Seward Road: and that the cause influencing his action in this particular was, that he had a financial end, to subserve.-

In regard to the first sub-division of the second Charge, I have the honor to state, that, after a careful examination of the records of this office, there is nothing on file in the office, to show that Mr. Bradford quarrelled with the Taotai:- I find upon enquiry that there was bad feeling existing, between Mr. Bradford and the Taotai, and that the cause of ill feeling originally arose out of Mr. Bradford's land operations connected with the Woosung Rail Road. The records of Chinese Correspondence

in-

in the Interpreters office are in a very imperfect state, and many despatches between this Consulate General and the Chinese officials during the period referred to by Mr. Myers, are not to be found.- Mr. Bradford states, in his "Special" despatch to the State Department on this subject, in reply to Mr. Myers charges, that "My correspondence with Feng. Taotai on this subject is published in our "commercial correspondence" for 1876." This however is a mistake.— Second. I find that Mr. Bradford was the principal projector, Manager, and is one of the Stockholders of the Woosung Railroad.- Mr. Bradford seems to have been the originator of the idea, of constructing a railroad from Woosung to Shanghai, and that he directed the movements of the Company which was formed for the purpose of procuring land, upon which to construct said railroad.-

In his "Special" despatch to the Department of State, heretofore referred

to

to, he expressly avows. That. "I first
" moved in the matter of starting the
" first railroad in China, and was then
" in charge of this Office." - This is
corroborated by a great mass of
correspondence on the subject of Rail-
roads in the hand writing of Mr. Bradford
One Letter Press Copy book in this office,
has, mixed with the official correspondence,
and writings of this Consulate General,
"Notes on Railroads", Estimates as to Cost
of building "Woosung Railroad". Profits
to be derived therefrom, &c. &c. - I send
originals as enclosures, all of which are
in the handwriting of Mr. Bradford.
dated September, 1872. -

While I was pursuing my investigations
I found it necessary to search the large
office Safe, which was under the exclusive
Control, and Custody of Mr. Bradford.
In this Safe, I found "Notes on Railroads",
Chinese (printed) translations of the same,
Call for meetings for the purpose of
Considering the subject of the "Woosung
Road", Minutes of Meetings held, Reports

of

of Surveys &c. &c. all of which papers are in the handwriting of Mr. Bradford It appears from these papers that Mr. Bradford, in conjunction with Mr. Alabaster the British Vice Consul at Shanghai, called meetings at the private residence of the latter, and that they held such meetings, then being present and acting with them, two American, and, two English gentlemen viz: Americans.- C. P. Blethen. A.A. Hayes Jr. English: E. Dveson and J. J. Miller. These gentlemen, in conjunction with Mr. Alabaster, and Mr. Bradford, constituted at, that
3/ time, the "Woosung Road Company".-

The various and voluminous papers examined by me, while examining this subject, are conclusive that Mr. Bradford conceived the idea of a Railroad as being an investment, from which he could realize a large sum of money and that he originated the scheme for this purpose, and for no other. disregarding his duties to his Government, he prostituted his office

and

and official position to the promotion of this one end and scheme.-

I find, that as early as September 1872. he presented a paper to one of these meetings, heretofore referred to, in which he uses the following language. "The land must be first purchased from the Chinese owners, care being taken to give the public and the Chinese officials, to understand that it is purchased for the purpose of reopening the old roadway, which has fallen into disuse, in order to give a roadway to the people from Shanghai to Woosung.- After the title has been acquired the purchasers can then develop into a Company &c &c." In fact, and in truth, foreshadowing as early as September 1872. every step which was subsequently taken in acquiring the title to the land, and the building of the said Railroad. Mr. Bradford admits in his "Special" despatch to the Department, that he is a stockholder in said road. I

find

find he holds stock in said Company for about Tals. 5000.- He also admits in same despatch, "that he purchased land near Woosung as an investment &c." He owns quite a quantity of land at Woosung, and also at the terminus of the road in Shanghai.- Mr. Bradford having been one of the prime movers, and stockholders, in the "Woosung Roadway" (so called) he, as one of such, is responsible for the method, in which the possession of the land, connected with said Railroad was obtained.

After a most careful and thorough examination of all the facts, in regard to the methods employed in obtaining the land connected with the Woosung Railroad, and as to the manner of its Construction, I feel it my duty to say, that I believe it to have been from the first, a violation of Treaty Rights, (and a very great mistake, if nothing worse) The lands were obtained in an underhanded, and unprincipled manner by deceiving the Chinese Authorities.

Mr. Bradford

Mr. Bradford, being as I said before, the prime mover, projector, and a Stockholder, notwithstanding that during the time of the negotiations for the land, he was acting as Consul General, and during the whole period, he was Consular Clerk, Vice and Deputy Consul General.

Third:- That the aforesaid Railway was built without the consent of the Emperor of China, or any of his agents. is positively asserted by Feng. Taotai, in his despatches to Mr. Medhurst. H.B. Mc Consul, and to the United States Vice Consul General. See translation contained in pamphlet by Justum (Mr. W.T. Drummond, Barrister at Law, Shanghai Bar) entitled "Engl and v China". London 1877. Page 19.- U.S. Consul General Myers in "Commercial Relations" for 1876. page 229 says. "The Territorial rights of the Chinese Government, are deemed to have been disregarded." Mr. Seward U.S. Minister at Peking is represented as saying "I believe it to be true, that the

purpose

" purpose of the purchases of the land
" on which the Woosung railway is now
" being constructed, was generally
" understood at the time, when the
" purchase was made, or soon thereafter.
" The purpose was not, however, as I
" believe, declared formally in any of
" the letters which passed with the
" Authorities, and pains were taken
" not to defeat the <u>object</u>, <u>by drawing
" attention to it unnecessarily.</u>" (see
Mr. Bradford's press copy book pages 29
and 30.). A careful perusal of all
the correspondence in Chinese, and
in English, to which I have had
access, has led one thoroughly to
the conviction, that the concealment
had been practiced, to which Mr. Seward
refers, and which is referred to by Teng
Taotai, in his despatch already
5/ referred to (see pamphlet "England & China"
pp. 18 & 19.) and by adding the words
"and British Subjects" to the sentence
beginning "The ground was purchased
in the first instance by American

citizens

citizens", the account given on pages 112 & 113. as far as the words "memorable protest" of the same pamphlet, is fully borne out by the documents in Chinese and English on record in this Consulate General, as also the statement contained on pp. 104. 105. & 106, of the same pamphlet. Mr. Wade H.B.M.s Minister at Pekin in his despatch to W.H. Medhurst Esq. H.B.M.s Consul at Shanghai, dated Pekin, February 23rd 1875 (see copy marked "Strictly Confidential"), says "I am not assuming the motive of the attack you report, to be the hostility of the people, or their Authorities, to the railway scheme. Your report gives a very sufficient explanation of the riot. but when you ask for instructions as to the "definite policy" to be hereafter pursued, I take it for granted, that hostility of the kind, more particularly on the part of the Authorities, is your rock ahead. The Authorities, however, will hardly venture to take action themselves, without first appealing to

" to you." - He further says, " I regard
" the acquisition of the land destined
" for a railway between Shanghai, and
" Woosung, if it should have been
" acquired at the rates prevailing among
" the people, equitably, and without
" exaction on either side" as a Treaty
" right, and I contend, that its
" employment, for the construction of a
" tramway, or railway, in no way contravenes
" the Treaty."

Dr. Yates., the late, interpreter, at this Consulate General, is quoted (Mr. Bradfords press copy book, page 43) as saying, " I have
" heard the officials say that they thought
" it was to be a horse road." This was
undoubtedly, what was represented to the Chinese Officials, by Mr. Bradford, as U.S. Vice Consul General, as his despatches on record, and the replies of the Chinese Taotai Shên, clearly show. - Dr. Yates is further quoted as saying, " I was with Mr. Seward
" as interpreter, at an interview with the present
" Feng Taotai, when the sample railroad, was
" the subject of conversation, and the Taotai

Not

" not only did not protest against it,
" but spoke favorably of it." Mr. Treyer
Fêngo, interpreter, testifies, that he was
present at a conversation between Mr.
Seward, and N. E. Fêng, and that Fêng
was not, at the time, Taotai at Shanghai.
but simply Superintendant of the Arsenal
and if this be so, as it appears to be, from
the records in this Consulate General,
N. E. Fêng, had no jurisdiction or
responsibility in the matter, Moreover
Mr. Treyer positively, testifies that,
N. E. Fêng did, object and remonstrate
9/ see his statement inclosed, and also the
10/ pamphlet "England & China pp. 112. & 113.
the statements there, being fully borne
out, in my opinion, by the correspondence
on record in this Consulate General.—
Fourth: The records and files, in this
Consulate General, with the records of the
Taotai's office, prove beyond any doubt
that Mr. Bradford did, use his Official
position, and the United States Consulate
General, in this particular for his personal
benefit, and for his self aggrandizement.

This

This is shown by the minutes and reports heretofore referred to, and by numerous despatches addressed to the Chinese officials, still remaining on record in this Consulate General, and particularly in one instance by a despatch herewith
11/ enclosed, found among Mr. Bradford's papers, numbered 6064. and dated 18th July 1873. in which he officially addresses the Taotai, requesting him to issue orders to certain land owners, to sell to him, the Vice Consul General, a certain piece of land, near the Woosung road, which he, the Vice Consul General, wished to purchase see also letter of D. N. Batchelder to Mr.
12/ Bradford herewith enclosed.-

Fifth. As to the subject matter of the projection, and opening of the "Seward Road", I have the honor to submit the language of Dr. D. Bethune McCartee, the Interpreter of this Consulate General, to whom I referred the matter for investigation, and
13/ report. On page 9 he says. "With reference " to the "Seward Road", having been absent " from Shanghai, for more than four

years

years, I knew nothing of it until my return in May last. I found that several communications had passed between the U.S. Vice Consul General, and Feng, Taotai on the subject. Mr. Bradford spoke to me, in strongly condemnatory, terms, of the refusal of Feng Taotai, to further the scheme. From what I have since heard from Mr. Bradford and Dr. Yates, and from the records of the Consulate General. I learned, that the Chinese landholders had petitioned and remonstrated, against being compelled, to sell their land, in the line of that road, and that the unwillingness of Feng. Taotai, and of his "locum tenens", the present Liu Taotai, proceeded from this cause, and learning from the same sources, that, the late Interpreter Dr. Yates. had paid out seventeen hundred Taels (Tls 1700.-) or some such sum, in purchasing from the Chinese owners, the land lying in the line of the "Seward Road" and that, threats had been sent by the late Interpreter, Dr. Yates. since you took Charge of this Consulate General

" General, to the landowners, who still
" refused to sell, that, if they persisted
" in their refusal, they would be compelled
" to repay all the money, that had been
" paid out to others, Viz: the Taels seventeen
" Hundred ($1700.-) more or less. These
" things coupled with the fact, that Mr.
" Bradford, has acknowledged to you,
" that he owns land on the line of the
" "Seward Road", leave, it appears to me,
" no other way of accounting for his zeal
" in the matter, than that, he had a
" financial end to subserve".-

" 7th "With reference to your last question,
" I have the honor to report, that I have
" been able to find nothing, written by
" Mr. Bradford, contained in the Correspondence
" denouncing the Taotai for protesting"
" nor have I been able to find, upon
" inquiry from the Chinese officials, any
" thing to prove the existence of such
" denunciations, in writing by Mr. Bradford."-

I have also examined the papers
referred to by Dr. McCartee in his report
to me, and am satisfied that the

Enterprise

Enterprise was a purely private speculation, in which Mr. Bradford was interested with certain other persons. (see statement Captain Andrews enclosed) and that the interest he manifested in said road, was owing to the fact that he had a financial end to subserve and that he used the Consulate General with the view of promoting that private interest.

In concluding this particular branch of my report, I have to add, as a summary of the second charge made by Mr. J. C. Myers against Mr. Bradford, that, after the fullest examination and enquiry that I have been able to give the subject, I am obliged to inform the Department, that Mr. Bradford did, by ingenious methods, and by dishonorable practices obtain and assist in obtaining, by misrepresentations and by certain deception alike dishonorable to an officer or an individual, the land upon which the Woosung Railroad is located. and he conducted the negotiations for the said

land

land, in his official capacity. (nearly all the correspondence relating thereto, being signed "Vice Consul General in Charge of Consulate General") in a manner certainly dishonorable to this Consulate General.

I am also of the opinion that his sole aim and object, in this Enterprise, was
15/ the enrichment of himself, and his associates, that before the consummation of the railroad scheme, a disagreement did arise between the Taotai and Mr. Bradford which at one time, threatened serious results, and was extremely unfortunate for this Consulate General. and, this trouble has created many embarrassments between the Consulate General and the Chinese officials some of which, still exist, and which, it will, in my opinion, take a long time to entirely remove. As to the merits or propriety of constructing a railroad between Woosung and Shanghai, or as to the subject of Railways in general, I have no opinion to express at this time but my investigation of this subject, has brought me to the very decided conclusion

that

that the method by which the land was obtained, and the railway built. in this particular instance, was not only improper but absolutely wrong and dishonorable, and that instead of opening up the Empire of China, to Western improvements and enterprise, so much desired by the Western Nations, and so much needed by the Chinese themselves, it has had the opposite effect, viz: That of retarding such Enterprize for years to come. The Chinese Authorities have in the past few days, made the last payment, to the Woosung Rail Road Company, of the purchase money due on said railroad, and have discharged all the employés. — The Chinese officials are now engaged in taking up the Line and the rails, Engines &c. &c. and they are being stored at Woosung preparatory to their transmission, to Formosa. —

I have been to much trouble, to ascertain from the Chinese officials their reasons &c. for their action in the premises. and I submit the following as.

as, near, their language as possible. They declare, that "The removal of the Woosung Railway, is being carried out solely in consequence of the political necessity for the act:- That, to allow it to remain where it is, would utterly stultify the action of the Authorities and afford the strongest encouragement to similar invasions of Chinese Territory and of her Independence as a nation.

By a general consensus of opinion, both of Chinese Officials, and Chinese Merchants the net result of the scheme carried out by the "Woosung Road Company" is, to brand all railway schemes, (and even ordinary road making proposals) with suspicion and dislike, in the eyes of High Chinese Officials, and the Government itself, and to tend to retard for several years, their introduction into the Empire. This feeling has no connection with the merits of such enterprises, which, the Chinese, to a considerable extent, both understand, and appreciate. But, is due wholly and solely to the deceit and

" and fraud practiced at the Commencement,
" by the original promoters of the Scheme."

The Third Charge, is, that Mr. Bradford was discourteous to gentlemen doing business at the Consulate General, and had estranged the United States Naval officers, so that they seldom called at said Consulate General:—

While I have not, investigated this Charge, thoroughly, yet I have given as much attention to it, as it would seem to warrant:—

I find that, there, is a variety of opinion, in regard to the subject.— Gentlemen of standing, and worth, in Shanghai, who have been, in the habit of doing business at, the offices of this Consulate General, have assured me, that they were courteously received and treated by Mr. Bradford, while others of equal reputation and standing, have stated that he was very discourteous to them.

I have come to, the conclusion from all the facts I could gather regarding the subject Matter, that with those

those gentlemen whom Mr. Bradford deemed it advisable to be courteous towards, he was uniformly courteous and respectful, but that his natural temper and habit, coupled with an overbearing disposition, caused him to be discourteous towards those with whom he thought such conduct could be exhibited with safety, and by whom such would be tolerated.

As an illustration of this view, I have the honor to enclose two statements, one by Mr. Henry Sylva, 17/ Head Clerk of the Mitau Biahi Steam Ship Company - and the other by Captain A. H. Friend Master, Steamer 18/ Szechuen. - Many similar affidavits could be forwarded, but I deem these sufficient, and have selected them as illustrations of conduct, of which Mr. Bradford, was regularly guilty: while on the other hand, he would be studiously polite to, those he fancied.

He seems to be a man of strong likes

likes and dislikes, and is not careful in showing his feelings.- So far as the Naval Officers are concerned, I have made some enquiries, and find that Mr. Bradford has few friends among them. perhaps one or two.—

He is not charged by any of them as being particularly obliging or non obliging.-

Mr. Myers fourth charge is.- That he believes Mr. Bradford, is not an honest officer, and gives as his reason, therefor, that Mr. Bradford concealed from his inspection, the books and accounts of the Consulate General, and would not furnish Balance sheets of Receipts and Expenditure; That the Clerks were not allowed access to the books and accounts kept by Mr. Bradford, and that the books were kept, in such a manner, as to be only understood by Mr. Bradford.

In considering this charge, I have the honor to state, that I fully

Concur

Concur with Mr. Myers, in the belief that Mr. Bradford, is not an honest public officer, and am constrained to add that I know that he is, and has been dishonest, in his dealings with the United States Government and with the people doing business at this Consulate General.

I find that Mr. Bradford has uniformly collected and appropriated to his own use, certain fees provided for by Congress in the tariff of fees.- (known as official fees.- viz; (Regulations p. 77.-)

No.s - Acknowledgments.-

5. Of the vendor to a bill of sale of vessel. 2.-
6. Of one or more persons to a deed or instrument of writing.- 2.-
7. Of one or more persons to a power of Attorney 2.-

Authenticating Copies of Papers.

10. Of Marine note of protest. 1.-
11. Of Extended protest 1.-

Authenticating Signatures.

21. Of merchants and individuals. 2.-
23. For any other Consular authentication or service of like character not herein named or enumerated. 2.-

Nos. Certificates.

35. Of Identity. 2.-

36. To invoice, including declaration in triplicate. 2.50

40. For Marriage Certificate 1.-

Declarations and Oaths.

51. Declaration and oath of Master to one or more desertions, including oaths, attached to crew list, and shipping articles each. .50

Filing documents in Consulate.

67. For filing any other document prepared in or out of the Consulate. .25

Consuls orders and letters.

68. To send seamen to hospital. -

69. To send seamen to prison. 2.-

70. To release seamen from prison 2.-

72. Requesting the arrest of seamen. 2.-

73. For any other letter or order of like Character. 2.-

Protests &c.

76. For noting Marine protest. 2.-

Preparing Documents.

82. For preparing any other official document. or instrument of writing not herein named or enumerated, if under one hundred words. 2.-

68.-

83.- Of exceeding one hundred words. 1
for every additional one hundred words. 1.-

Recording Documents.

86. Bill of sale, when required for every one hundred words. .50

88. Consuls letter to Captain of port, or authorities, in case of sinding vessels. .50

90. Powers of Attorney, when required, for every one hundred words. .50

94. Any document or instrument of writing not herein named or enumerated, prepard in, or out of the Consulate, and required to be recorded, for every one hundred words. fifty cents, and for every additional hundred words (or less) fifteen cents.

Miscellaneous Services.

98. For administering oaths, not hereinbefore provided for, each. .50

105. For Consuls seal and signature to any document not provided for by the foregoing tariff.- 2.-

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The books of the office show that the fees named in the "Tariff of Fees" numbered as above, have, in some instances been

been reported, and in others they have been retained.- After an examination by an Accountant of the books, I was enabled to trace, the following sums, as having been retained by Mr. Bradford out of the Amount of official fees. viz;

1st	quarter	1876.	$156.50
2nd	do.	to May 23.	75.80
2nd	do.	to June 30.	44.—
3rd	do.	1876.	357.60
4th	do.	do.	116.—
1st	do.	1877.	213.42
2nd	do.	do.	442.22
3rd	do.	do.	306.44
			$1705.95

These are other official fees. Known by me, to have been received by Mr. Bradford, of which, there is no account in any book in the office, therefor, how many, or how few fees, have thus been received, and not even entered. Must of course be left entirely to Conjecture.-

Mr. Bradford has for a number of

of years, directed, and absolutely controlled the receipts and expenditures of the office, and has made out, and transmitted, all the reports of fees, to the Department.— He kept all the books of the office, except a book + which for convenience I call a "blotter", this book has been kept by Mr. Coffey, the office Clerk since June. 1875.—

I copy a description of this book
19/ from Mr. Coffey's report to me, herewith enclosed. pp. 6. and 7.— "When I entered
" upon my duties in this Consulate General
" in June '75. I had charge of a "rough"
" book, or "blotter" formerly used by a
" Carpenter, and Tinsmith, as the items
" entered will show. viz:"

"Brass Shop."

" 2 Carpenters	@	70 ¢	1.40
" 30 ft. Oregon pine	@	4 ¢	1.20
			$ 2.60.

" The book is 2/3 ds full of just such
" entries, and the remainder made up, to
" complete the book, of items connected with
" this Consulate General, in my handwriting

I.

" I am at present, using a book, given
" to me by Mr Bradford, which shows the
" daily transactions &c. of an "Arms —
" Manufacturing Co.", so many Muskets,
" bought and sold, shot, shell, powder &c.
" on hand."

Mr. Bradford was in the habit at, intervals, of taking Mr. Coffey's book, and after footing the same, receive the amounts. Beyond this, Mr. Coffey knew little or nothing regarding said sums.

Mr. Bradford had been, and was after my arrival, in the habit of locking up his books, in the large safe in his room. Even if he left the room only for a few moments, for the purpose of visiting some other room in the building. This, I observed soon after I had taken Charge of the Consulate. When, the day after I had taken Charge, I called for the books of the office, I was shown a portion only. Mr. Bradford remarking, "These books." (pointing to what I afterwards learned to be the Journal, Ledger, and Cash book) "are Mr. Myers' private property"

D.

" I presume you will wish a set."— I remarked. " private property! who " pays for these books?"— Mr. Bradford replied " The Government." I said, " if it " is the law, and practice, for each new " officer to purchase a new set of account " books, you can order a set for me."

Mr. Bradford asked me to visit a book store, in company with him, which I did. he then ordered a new set of books for me.

As soon as I could familiarize myself with the duties of the office, I proceeded to examine each book:

I found that the fee book required by law to be kept, as the original book of entry, was not so kept.— I found that it was the habit of Mr. Bradford to take the "Blotter" on Sunday, and copy each and every item from it, to the "Journal" then he divided the fees. as he placed, in to two classes, which he called Official, and Court fees.— At the end of the quarter he copied the entries thus made, in his Journal, to the Fee book.

and

and then made up his Treasury account from this copy, that he then posted the Ledger from his Journal:

I remarked, that it seemed to me these books, (the Journal, Ledger, and Cash book,) partook much more of the character and nature of official books, than of private ones, and that this system involved a very large amount of useless labor. whereupon he remarked.— "Yes, the books are official, but are for "private use, and that this work was "necessary, as Mr. Coffey, the Office Clerk "did not understand it, could not "be trusted with it, and was incompetent, "therefore he was obliged to perform "this extra labor." I, then, informed him if his statement was true, "Mr. Coffey ought not to be retained one hour longer, and that I should investigate the statement." I did, afterwards, investigate, and found that Mr. Bradfords statement to me, regarding Mr. Coffeys incompetency was an utter, and deliberate falsehood. I found that

Mr. Coffey.

Mr. Coffey was not only a reliable and valuable Clerk, but a gentleman equally competent as Mr. Bradford.

I next proceeded to examine the division of fees, known and designated by Mr. Bradford as Court, and Treasury fees.- I soon discovered, that among those, which might be properly Classed Court or unofficial fees, a large amount that were clearly Treasury fees, and belonging to the Government.- I at once called his attention to them, and read to him. Sections 321. and 322. Article twenty second, page 76. "Consular Regulations, when he informed me that he had never examined the laws or regulations regarding the matter &c. &c.- I was astonished at such a statement, and so informed him. During this Conversation I observed that he had a stamp, about the size of the Consular Seal. engraved with the same device, and to all appearances the same except the wording encircling the seal;

I found he was in the habit of taking acknowledgments, certifying to

to the records of the office viz: such as citizenship of an individual &c. &c. signing the same as Vice Consul General, and attaching this Notarial seal, to such acknowledgements and certificates, (using red Chinese ink) the wording in the seal, being blurred and blotted, to such an extent, as to render it illegible, (There being no part of the engraving readily distinguished except a circle containing the outlines of an Eagle,) and, then, Charging the tariff fees for the same, and retaining the fees so received.— Upon my declaring such acts, as not only a violation of the Consular Regulations, but an open violation of the law. he said, he saw it was, but he had not studied the Regulations &c. &c. but would discontinue such proceedings in the future.

I told him that for an officer who had been in the Consular Service for twelve years or more, I did not think such an excuse worth a moments consideration &c. &c.— I then directed my attention, to

a

a more thorough examination of all the books, papers &c. in the office.— While examining the Ledger, I noticed Mr. Myers private account, and noted its condition. A few days after I had occasion to call for this account, and upon a reexamination, I discovered he had erased certain amounts, posted in the ledger account, and substituted other and different amounts, that he had interlined the account by posting certain fees, which had been previously omitted, and which were not in the account, when I first examined it and made my memorandum.—

I demanded of Mr. Bradford, an explanation.- After much conversation and many statements, which I knew to be false. I dismissed him from my room, by telling him that matters were assuming a grave aspect for him.- At this point of the examination I deemed it my duty to at once seize the safe, and all papers in Mr. Bradfords room.- I directed Dr. Mc Carter and

Mr. Coffey

Mr. Coffey to meet me after office hours, in Mr. Bradford's room. - I visited Mr. Bradford's room, and informed him, & desired him to remain, and meet Dr. McCarter, Mr. Coffey, and myself, which he did. - Upon the appearance of these gentlemen, I informed Mr. Bradford of my intentions, and at once proceeded to close the safe, taking possession of the Keys to the safe doors, and left with him the Keys to the outer lock. - I then sealed the safe and on the following morning before office hours proceeded in Company with Dr. McCarter, the interpreter, Mr. Coffey, office Clerk, and the Shroff, to inventory each and every article found in the safe, and to count the funds on hand. - Among the papers in the safe, were found a package, marked private "O.B.B." in which was found quite a number of the missing Chinese despatches and their translations, being the same despatches which had been removed from the book of Chinese Correspondence, referred to in my Department despatch No. 6. -

Nearly

Nearly all of these despatches related to the Woosung Rail Road.- I also found a number of private letters, which had evidently been in the U.S. Post Office, The address, and the writers names were omitted or were supplied with dashes. i.e. ------ Among the number found, having signatures was one written by D. J. Macgowan M.D. of Shanghai, addressed to General Myers of San Francisco.- California.- The proceedings in this case were set out in my despatch No.6.

Mr. Bradford was convicted before me of having tampered with the United States mail. and was as reported in my despatch No. 6. sentenced to Confinement in the Consular Jail, for a period of twenty days, and to pay a fine of Two hundred and fifty dollars,- and cost of prosecution.- Soon after his committal to the Jail, he commenced to make arrangement for the transfer of some of his landed- property, situated in Shanghai.-

While Mr. Bradford was making arrangements

arrangements, to sell the said Real Estates referred to, I discovered by accident that there was, in July 1877. deposited in the French Bank. the Comptoir d'Escompte de Paris. to the private account of Mr. O. B. Bradford. the sum of $2561.55/100.- which belonged, to the United States Government.

I brought Mr. Bradford from the jail, and in the presence of the Interpreter Dr. Mc Cartee. and Mr. Alwyn, a temporary clerk employed in the office, I demanded the reason, why he had not informed me of the sum of money, deposited in the French Bank. and why he had not turned it over to me, with the other moneys. Why it was deposited to his private account. He. stated - it was government moneys. and that he intended to make up his returns for the quarter, and then if there was any funds left, he would turn it over to me. &c.- That he could not remember whether he deposited it to his private account, or to his official account &c. &c.-

Under, these circumstances I

Deemed

deemed it my duty to, take, immediate action to prevent him from transferring real Estate, or from, transferring funds in bank.-

I at once prepared and filed
20/ an, indictment (copy enclosed) founded on Sections. 5481:5488:5490:5491:1734.- Revised Statutes of the United States. The same being filed in Court, on the second day of November. 1877.- On the 12th day of November, Mr. Bradfords term of, imprisonment having expired I caused him to be arraigned, to enter his plea:- After the Indictment was read, Mr. Bradford pleaded, in language as follows. (I copy from the Court Record; taken, in shorthand).

Court: "What, is your plea, guilty, or
" not guilty"?

Prisoner: "I acknowledge the proceedings
" on my part. upon which these counts
" can be logically based: but I deny all
" intent".-

Court: "The first thing will be to receive
" and enter, your plea. then I will hear

any

any statement you may wish to make."
Prisoner. "Then as a formal plea, I plead, technically guilty."
Court. "Mr. Clerk, enter the plea of guilty."
Prisoner. "Technically, I plead guilty, but innocent of any intent to commit a violation of the law, or to infract the regulations of the Government."
Court. "The plea of guilty or not guilty is the only plea that can be entered. Is your plea guilty, to each and every Count in the Indictment?"
Prisoner. "Yes, to the whole Indictment; and now may I be allowed to ask that if possible, these questions be referred to the Home Government?"
Court. "Yes. the plea of guilty will be first entered, and then that is in order."
The Plea of guilty having been entered of record, At the request of Mr. Bradford I suspended sentence, in order to allow him an opportunity to prepare a petition asking for pardon, the same to be accompanied with his statement in mitigation. I also made an order granting him bail

in

in the sum of $100000.- with two good and sufficient sureties.- In default of bail, I committed Mr. Bradford to Jail where he has since remained, being unable to furnish sureties as required.—

Mr. Bradford requested me to allow him to transfer his property to parties in Shanghai for the purpose of securing them to sign his bond.- Having attached all property which belonged to him, and the same being in the hands of the Court, I declined to cancel the attachment, to allow such transfers, for the reason that if Mr. Bradford transfered his property and then forfeited his bond, the Government would have, in lieu of his body, a certain sum of money, which his very plea admitted belonged to the Government.- (As the fine in each case is equal to the amount Embeggled.) He then could leave the Jurisdiction of this Court. and it would be very doubtful whether he could be returned to the Jurisdiction of this Court from even the United States. Certainly he could not be again indicted and

tried

tried in the United States. for the same offence, even if the plea to the jurisdiction of the Court, was not a bar to the proceedings.- As judgement has been entered in this Court, and the final execution of that judgement, is simply suspended and cannot be revoked even by the Court. and can only be set aside, by the 21/ pardon of the Executive.- See enclosure No.

When Mr. Bradford prepares his petition, and statement, I will forward the same with such comments, and exhibits as may be deemed necessary to a full and complete understanding of all questions, which may be presented.

I here with enclose full report 22/ of the proceedings as published in the Evening Courier and Gazette, and in the 23/ North China Daily News. the reports being substantially correct.-

I enclose editorial regarding 24/ the matter which appeared in the Shanghai Courier and Gazette of the 25/ 13th inst, also an extract from the Tokio times of November 3rd 1877

There

There is one branch of the subject which I have omitted to mention in the regular order of the investigation. I refer to the practice in the Court, and the fees charged -

I find that Mr. Bradford has made it the practice of charging fees as Clerk of the Consular Court that were unlawful, and a disgrace to any court in the world. I found that in some instances when the amount sought to be recovered, did not exceed $40. - the Clerk's fees alone were fifty dollars. and the only steps taken in the case, were simply the filing of a petition, issuance of a summons the filing of an answer, hearing and entering of a judgment, which in fact was never entered except as clipped from a newspaper, and placed in an envelope which contained the papers in the case. In the matter of Estates. Mr. Bradford was in the habit of not only charging the given fees authorized

by

by the fee bill, but, in nearly every instance where I have examined, I find that the fees of the Clerk exceed the Government fees of five per centum.- I find that, in some Estates wherein Mr. Bradford was the Clerk, and ——— administrator, the cases stand closed upon the books of this office, and the final report rendered, the Treasury Department. Yet upon examination I found packed away, in his room Envelopes containing Gold Watches, diamond pins &c. &c. &c. No records, in this office Showing that such articles were retained.—

I asked him about these estates when I first took charge, he informed me that they all were closed and that the "Envelopes simply contained the Court papers.- I find, in, two estates, (Mr. Bradford being the administrator,) wherein quite a sum of money is known to have been paid in:- that not a paper relating to these estates is on file, or can be found in this office.- In one Estate, I found a certificate for One Thousand Taels.— This case was commented upon in my No. 6. —

No. 6.- therefore I do not deem it necessary to again give the details.- In one Criminal Case, that of T. W. Eckfeldt. who was Charged with embezzling money from his employers, Mr. Bradford who was then Acting Counsel General. and performing the judicial functions, addressed a letter to the parties, directing or soliciting them to prosecute before him this man Eckfeldt. After his conviction Mr. Bradford heard that a letter, was expected by him, containing a bill of Exchange, for a considerable sum of money. he therefore detained Eckfeldts letters, and against the protests, of Eckfeldts Attorney compelled Eckfeldt to open his letter, and sign the Bill of Exchange. - He then converted it in to ready money, after which he deducted "over two hundred Dollars Court Costs. about one hundred dollars of which he charged, and received himself as clerk fees. notwithstanding he was sitting as Judge in the case. He employed an Attorney to prosecute the case, he deducted and retained out of the moneys received as above stated, and paid the Attorney

Employed

Employed by him $785.- then delivered the balance to the parties who prosecuted him for embezzlement. No civil action having ever been entered against Erfeldt.

In examining the accounts forwarded to the Post Office Department, I find that Mr. Bradford was in the habit of entering to the Credit of the Government, moneys received, as currency and Charging the moneys disbursed as Gold. As an illustration, all monies received in the Post Office, or at this Consulate, are mexican dollars. It is the currency of Shanghai, and has been for years. It is now equal to, and has been, during a number of years past (so I learn) worth more than American gold. notwithstanding that the moneys received in the Post Office, were mexican dollars, and that all the expenses were paid in Mexican dollars. Mr. Bradford has been in the habit of making out his quarterly account of moneys received and disbursed, and in them certifying that he received one kind of currency viz:

Mexicans.

Mexicans - and disbursed another kind
viz: gold. Charging the Government, the
26/ premium on gold, and pocketing the -
difference so charged. - See Dr. McCartee's report
page 2. - In every Department Mr. Bradford
seemed to have labored industriously, to
evade the law, in order that he might gain
a few dollars, he has sought by mean
subterfuges to justify himself and escape
the penalties therefrom. -

As to Mr. Bradford's "concealing
the books from Mr. Myers, inspection". Of
course I have no means of knowing, except
from the statements made by the Clerks
19/ employed in this office. - I am, informed
by Mr. Coffey. (see enclosure No. 19. page 7.)
and Mr. Phoenix United States Marshal.
27/ affidavit page 8. - that it is true that
Mr. Myers was not allowed to examine
the book. nor were any of the clerks in the
office permitted to handle or use them -
except in the presence of, and by the -
permission of Mr. Bradford, he was -
always very careful, when leaving the
room in which, the books were kept,

to have

to have them removed to the safe, and have the safe locked. I am satisfied these statements are true, as I remarked heretofore, in this report. I observed this habit after I had taken charge of the Consulate General.-

Upon my demand, Mr. Bradford with some reluctance, turned over to me, all the books in his possession, and gave me a statement regarding those which were missing (a copy of which statement, I forwarded, as enclosure No 1. in my No. 67) and labored very hard, to explain, and to excuse, them to me.-

He admitted to me that he did.- refuse to turn over the books and property of the office to Mr. Myers, and that his reason for so doing, was, that he knew Mr. Myers was incompetent. and would confuse the books and vouchers to such an extent, that it would render it impossible, for the office to, transact, the public business correctly, and that he refused to deliver the books and property to Mr. Myers, for these reasons.-

I think

I think this a very poor excuse, for such conduct. and it proves to me, a great want of appreciation on the part of Mr. Bradford of the true relation which should and does exist between a Superior, who is responsible by law. bonds and otherwise, for the conduct of his office, and the Clerk &c

As to the complaint that Mr. Bradford did not furnish to Mr. Myers, the balance sheets of the receipts and expenditures of the office; I think there is a very good explanation. Viz: that it was utterly impossible for Mr. Bradford to furnish any balance sheets. After a personal inspection of Mr. Bradfords books, and after bestowing much labor upon them, I found that it was absolutely necessary to employ an experienced accountant. After much trouble, I employed Mr. Corner an English Accountant, who is regarded as one of the best in Shanghai. he has been at work for a month upon the

the books kept by Mr. Bradford, the period subject to examination Commencing June 1876, the date that Mr. Myers entered upon his duties, and terminating on September 13th. 1877. the date of my taking charge of the Consulate General. — embracing a period of about eighteen months. After a months labor he informs me, that it is utterly impossible to either balance the books, or render any true and Correct balance sheet of monies received or moneys expended. for some time to Come if at all. — He further states. That the books have been kept in a manner such as to be only understood by Mr. Bradford. is only too true. — I believe Mr. Bradford did understand his own books, and could give an approximate memorandum of the moneys received by the office, but that he could give a Correct statement of the business transactions of the office, was beyond his power. there can be no doubt: In proof of this, I have simply to state, that on three different occasions before Mr. Bradfords arrest, I called upon him to give me a transcript of

certain monetary transactions connected with this Consulate General: He furnished me with three transcripts for the same period of time, and for the identical transactions; not one of these transcripts agreed with the other.

28/ I have the honor to transmit herewith the statement of Mr. Corner (dated November 2nd inst., (and also his letter dated Nov. 6). the accountant employed by me, to investigate the cash books of the office, and to balance the same: to which is appended a statement showing the amount of government fees retained by Mr. Bradford and which he has failed to report, to the Treasury Department - I have only to say, further, in regard to the cash books of this office, that Mr. Bradford would not be retained, in the employ of any respectable firm or company, one hour after the discovery of such a system of book keeping as he adopted and has practiced in this Consulate General. Nor do I believe that the books were kept, in the manner, in which they were, on account

of

of ignorance, on the part of Mr. Bradford, but, that the system was invented and devised by him, in order to conceal from persons, other than himself, the true condition of the office, as to the monies received, and the moneys disbursed, thereby to better enable him to conceal the Amount Embezzled.—

The Fifth Charge is, that Mr. Bradford appropriated the fees of the Marshal, and that the Marshal gave no bond, and so forth.—

I find that the Marshal was not Commissioned until January, 1876. although he was appointed United States Marshal several years prior to this, and had performed the duties of Marshal, since the date of his first appointment.

I also find that all fees on account of the Marshals services, were retained by the office, and that the Marshal was paid a salary, of $1000.— a year,— He states under oath that he complained to Mr. Seward, that his salary was not sufficient to support him, and that he

Could

could obtain a better salary in the Chinese Customs Department, and that thereupon he was allowed an additional amount of $200.- and afterwards $500.- per year.

This subject is fully set forth in Mr. Phoenix's own statement, which I herewith, transmit. See page 9. etc. — 27/

The Sixth Charge is, That Mr. Bradford refused to deliver the Keys of the safe to Mr. D. C. Myers:—

Mr. Bradford states that he refused to deliver the Keys of the safe to Mr. Myers owing to the fact, that he had a large sum of money on hand, and was fearful that if Mr. Myers, took the Keys, it would Complicate matters.—

I find that Mr. Myers gave written authority to the United States Marshal, to demand the Keys of the office, and the Keys of the safe, from Mr. Bradford, and that the Marshal in pursuance of said order, did, demand the Keys from Mr. Bradford. and that Mr. Bradford declined, and refused

to

to give them up. As to whether there were good grounds for Mr. Bradford to decline to deliver up said Keys, I have to say, I am not in a position to determine, as I have never met Mr. Myers, and know nothing personally of him. It would seem, however, that the Consul General being held by law, responsible, for all moneys received by, and on account of the office, whenever he called upon any of his Clerks, or subordinates, to turn over moneys, which belong to the office, such Clerk or subordinate should have promptly complied, therewith, leaving the responsibility in regard to the same, to rest with, the Consul General. who, is under bond for the faithful discharge of his trust, and is answerable to the Department.

The Seventh Charge, is - That Mr. Bradford, interfered with Mr. Myers' correspondence. -

There can be no doubt as to the truth of this Charge. - In my examination heretofore referred to, I found

found various letters among the
private papers of Mr. Bradford, in
the safe of the Consulate General.
(which was under his exclusive charge).
copied in Mr. Bradfords own handwriting

I found, therein, letters written by
individuals, to Mr. Myers, and letters
written by Mr. Myers to individuals.
Some of these letters, Mr. Bradford states
came into his possession, by reason of
their being left in the drawers of the
desks, used by Mr. Myers at the
Consulate General, and found after
Mr. Myers was suspended. and that
others, he abstracted therefrom, for
his own private use. Others, that
I found, cannot be accounted for
in that manner. Mr. Bradford must
have opened them while they were
en route - to, their destination, through
the Post Office. he being the postmaster
having the exclusive control of the
Post office, which is a room in the
Consulate General. and he, living in
a room over the Post office, in the

same

same building, no other person living in the building; thus he had every opportunity whereby he could obtain the letters, and copy the same, without detection.—

It seems that Mr. Myers distrusted him, in this particular, and demanded from him the Keys of the Post office, and had decided to remove him, but Mr. Bradford declined, to surrender them, and while the matter was pending Mr. Myers was suspended.

As the subject has been inquired into, and passed upon Judicially. (see despatch No. 6. and enclosure numbered 29) I therefore conclude this subject by submitting additional evidence, than that adduced, upon the trial of Mr. Bradford, which proves, that he was guilty of tampering with other letters which passed through the Post Office, and that did not belong to him. (see Mr. Coffeys report, enclosure No. 19.- page 6.-

J. C. S. Colby Esq. Consul at Christiana, and G. H. Colton Walter Esq. Ex. Consul at Hamburg, in addition, to

the

the above, since Mr. Bradfords trial and conviction, I have had Statements made to me, by different individuals, that they, have received from the United States Post office, letters, which had been opened by Mr. Bradford and were marked on the Envelope, "opened by mistake, O.B.B."

The Eighth Charge, is:

That Mr. Bradford, spoke of Mr. Myers, to the Clerks, in the offices of the United States Consulate General, and to private Citizens in Shanghai, in disrespectful terms, and in a disrespectful manner.-

Mr. Bradford does not deny this, but claims he was justified in so doing:- Whether he was warranted, in speaking of Mr. Myers, in disrespectful terms, or not, I do not feel called upon to decide, and in regard to the subject matter, have only to say, in this Connection I find public opinion somewhat divided regarding Mr. Myers, and his Conduct.

I find Mr. Myers has some warm friends, who may be classed among the most

most respectable people in Shanghai. On the other hand, I have heard some of the most respectable citizens speak in very disparaging terms of him.

I have not regarded it my duty to investigate Mr. Myers abilities, private character, or social qualities, as to his official conduct and character I am satisfied he was honest and sincere, but that he was wholly incompetent to meet the difficulties surrounding him: but in many instances he introduced into the Consulate General needed reforms. His conduct in some instances seemed to have been unaccountable, for instance, After he had made Charges against Mr. Bradford. He was waited upon by gentlemen of the highest standing, among whom were Mr. Forbes, of Russell & Co. and Mr. Heimore, who informed him, that if Mr. Bradford was dishonest, all they asked, was to see some evidence, tending to prove his declarations, and they would support him, in his attempt to suspend Mr.

Bradford

Bradford. These gentlemen, inform me that Mr. Myers informed them, he had no charges to make against Mr. Bradford but that he was mistaken &c. &c. Afterwards he called upon these gentlemen at their places of business, and stated, that as he had made these Charges against Mr. Bradford public, and as they were unfounded, he had called to correct them as a gentleman should do.—

Afterwards Mr. Myers reiterated the charges, which he had once before prefered, and afterwards with drew. These gentlemen believe that Mr. Myers was actuated by a malicious spirit, and when applied to by Mr. Bradford did not hesitate to endorse his honesty, based upon their knowledge of him, and upon the statement of Mr. Myers previously made to them, that these charges were false and without foundation.

Such conduct to say the least is very extraordinary.— In concluding this subject I call attention to Mr. Phoenix

Statement

Statement pp. 12 and 13. and Mr Coffey's Statement, pp. 5 and 6.—

The Ninth Charge is: That Mr. Bradford refused, to leave the office upon the Consul General suspending him, or during the time that Charges were pending at the Department &c. &c.—

As, it is well known, to the Department, that Mr. Bradford, did decline to leave the office, and did deny the power of the Consul General to suspend him. I do not, therefore feel called upon to add words upon this Subject.—

The Tenth Charge, is; That Mr. Bradford occupied rooms, in the Consulate building, and declined, to leave them, when ordered by the Consul General so, to do, or pay rent for the same.

It, is true that Mr. Bradford did occupy, two rooms, in the Consulate building, for his own private use, and convenience, and that he did occupy one room, in the Gaol yard for his servants' use.— Mr. Bradford did not and never has paid rent for the use of

of these rooms.- These two rooms occupied by Mr. Bradford for his private use, are exactly of equal size to the Court room, which is exactly opposite, across the Hall.- This room costs the Government $800.- a year rent.- Mr. Bradford was acting Consul General some months prior to the arrival of Mr. Myers, and drew his salary as Consul General, but did not deduct any sum for rent.- He was also acting Consul General from March 27th 1877. to September 13th 1877. and drew pay as Consul General but did not pay any sum as rent.-

Soon after I took charge, I requested Mr. Bradford to remove from the building, as I found that it was necessary to have the use of the room for the business of the office.-

Mr. Bradford agreed to remove, but before doing so, he was arrested. He has since had all his property removed from the building.- In my opinion, Mr. Bradford should be compelled to pay rent to the Government

for

for the use and occupation of these rooms from January 1st 1876. to October 1st 1877.- at not less than $300 per year.-

It was also the habit of Mr. Bradford to charge the gas, consumed by him in his private rooms, to the Post Office Department, and vouchers will be found in his post office accounts, as for gas consumed by the Post office Department. These vouchers are false, as the gas bills, are for gas consumed by Mr. Bradford in his room for his private use. (See Dr. McCarters report enclosure no. 32 page 2.) These rooms are now occupied by temporary clerks, one by dispatch writer, the other as clerk of the Consular Court.

The Eleventh Charge is: That Mr. Bradford was in the habit of speaking in disrespectful terms of the American Missionaries.-

I have not been able to, investigate this subject, as, thoroughly as I deem it necessary, in order to report, intelligently in regard to it.

I have ascertained, however, that

Mr. Bradford

"Mr. Bradford, did, upon several occasions speak of American Missionaries, in very disrespectful terms.- Mr. Bradford claims in extenuation, that he had reasons therefor, and that he only spoke of them as he was justified in doing, under the state of facts that existed.-

Whether this is true, or not, I am unable to say, and have simply to report that Mr. Bradford was particularly unfortunate in this respect and that he did, make Comments, in regard to American Missionaries, which it would have been much better, had they not been made.- He gave a newspaper Correspondent certain statements in regard to Missionaries, which statements were published, and caused much feeling among the Missionaries.- The statements afterwards were proved to be false.—

I think this Concludes all the Charges made by Mr. Myers against Mr. Bradford, in his despatch forwarded to the Department, dated

January

January 13th 1877.—

I was furthermore directed by you, in your despatch No. 4. to Enquire and report whether, Mr. Phoenix. United States Marshal, Mr. Hendricks, Consular Clerk, and, Mr. Coffey, office Clerk, did make the statements which Mr. Bradford alludes to and which he forwarded the Department, and upon which he partly relies for his vindication, from certain charges preferred against him by Mr. J. C. Myers. Consul General. On October 1st I addressed a letter to Mr. Coffey, the office Clerk. (Enclosure No. 19.) requesting him to submit to me, a report containing a full statement in regard to the Charges made by Mr. Myers as heretofore set forth, and also his reasons for signing and forwarding to the Department, the protest heretofore referred to.—

I herewith submit Mr. Coffey's statement. Enclosure No. 19.- heretofore quoted from.- I would call particular attention to this statement, and to the fact that

that Mr. Coffey not only disavows the statements attributed to him by Mr. Bradford, but says Mr. Bradford knew the statements which he forwarded to the Department, to be false, for he informed Mr. Bradford at the time, that the Charges preferred by Mr. Myers, were known to him (Mr. Coffey,) to be true in many particulars.

I addressed a similar letter to that of Mr. Coffey, to the United States Marshal, calling upon him to prepar and submit to me, a full and complete statement of all facts within his knowledge, connected with, or bearing upon this Controversy, as well as his reasons for signing the protest heretofore refered to.-

I herewith enclose Mr. Phoenix's
27./ statement enclosure No. 27. I do not deem it necessary to refer to it further than to call particular attention to it. and to state, that Mr. Phoenix prepared the statement, and when he submitted it to me, requested to be

sworn

sworn. It will be seen that Mr. Phoenix makes many Charges not made by Mr. Myers. I do not deem it necessary however to notice but two. The one wherein he refers to the Sailors brutality. - I have to say, upon examination I found the statement true, and immediately dismissed him. - The Sailor asserted to me at the time of his dismissal, that he had authority from Mr. Bradford to beat the Prisoners &c - It is but just to say however, that Mr. Bradford denied giving him such authority: but said he informed him, if the Prisoners did not behave, it was his duty to make them, or words to that effect.

As to the Charge that Mr. Bradford retained money viz: $20.- per month, out of the salary of the Sailor, and obliged him to sign Vouchers for the full amount viz: $80.- I find that this statement is also true - Mr. Bradford did require the Sailor to sign vouchers for $80. - and when he only paid him $60. - These vouchers were forwarded to the Department. Mr. Bradford says, however that the $20.- per month thus retained, or deducted, was for a "Charity Fund", but

but as there are no books in the office for that period viz: from January 1st 1876. to May 24th 1876: I am unable to determine whether Mr. Bradford's statement is true or not, regarding the use to which, he says he put the money thus retained; To me, it seems a very singular practice that a disbursing officer of the United States, should oblige persons, to whom he pays salaries, allowed, and for which vouchers are required, by law. to submit arbitrarily to deductions made by him The practice is clearly a criminal one (see section 5483 Revised Statutes.)

Mr Hendricks died a few days prior to my arrival. After the most careful and rigid examination that I have been able to give to the various subjects submitted by the Department for my examination and which has involved an inquiry into every department of this Consulate General, I am compelled to submit that there is no branch of the Consulate General, wherein moneys were received that Mr. Bradford has, and did not

labor

labor to make the same profitable in either a large or a small way to himself regardless of law and regulation, and that on the date of my assuming Charge of this Consulate General, it had more the appearance of a brokers shop, than a Government office.

There are many circumstances regarding the conduct of Mr. Bradford which have occured during my investigations, and before his arrest. wherein I discovered him guilty of deception, and falsehood. which I have omitted, as I deem it unnecessary to further extend this report. In making these investigations and discharging the very painful and disagreeable duties assigned me, I have labored strictly to follow the instructions given me by the Department viz: "to investigate the various Charges preferred by Mr. D. C. Myers, Consul General, against Mr. Bradford, without fear and without favor". Believing an example should be made, and with a further

further view of vindicating the majesty of the law: as well as from a sense of my duty as a judicial officer: I have felt constrained to institute the criminal proceedings heretofore referred to. Knowing that by such a course the Government and Department would be vindicated from any charge of excuseing or countenancing such conduct, on the part of any official, and by this method, indicate to all officers in this part of the world, that the Administration intends to enforce its oft repeated declaration of a thorough Civil Service reform, in every branch, and department of the Government and that it intends to, and will, hold each and every official of the Government, to a strict and rigid accountability for his, or their official conduct. and that whenever they are found departing from the law as established by the Authority of the land, their conduct will be the subject of judicial inquiry and action.—

In conclusion, I have the honor to repeat the recommendation made by

by me in my dispatch No. 6. viz: that Oliver B. Bradford be dismissed from the Consular Service of the United States.—

Owing to the death of Mr. Hendrick and the imprisonment of Mr. Bradford I have been left without adequate clerical force, to do the current clerical work of the office. I have, temporarily employed two Clerks, who are now performing duty in this office.

Not having heard from the Department as to what action has been taken as to my recommendation of Mr. B. H. Lee to fill the vacancy occurred by the death of Mr. Hendrick, I had concluded not to send any other name forward until I am acquainted with the action of the Department upon my recommendation of Mr. Lee.

I am,
Sir.
Your obedient servant
Luther Wells
U. S. Consul General.

Enclosure No 1

Notes on Railroads—
Estimate as to cost of building
Woosung Railroad
&c &c &c

Memorandum of a Scheme for a Railway from Shanghai to Woosung.

To Construct a three foot gauge railway to Woosung, over the line of the old Woosung Road, or so near thereto as may be desirable.

To obtain from the Municipal Council the right of way from a point on the North bank of the Soochow Creek above Gnaomen Road, to a point at the Northern limit of Hong Kew, intersecting the line of road named, Or, to start from a point opposite the Gas works, getting permission from the Council to extend the road along the defence creek. The now useless creek might be used for Constructing in its bed a line of railway to cross the Settlement, thereby not interfering with Street Travel. A height of only 9 feet would be required, from the level of the rail, to clear the bridges, with the proposed style of locomotive. A draw-bridge spanning the Soochow Creek would permit the passage of boats. The grading to reach the level of the Creek bed, could begin 1000 yards from the North Bank, and then offer little difficulty in its ascent.

In view of the Report of the Council for the year ending 31st March 1871, and of the Consul Medhurst's "Memorandum on outside Roads" forming appendix "D" to that report, it may be that the Council will not admit this jurisdiction over the line of the old road, for the reasons therein set forth, viz: that the land had now been surrendered to public use, the Land Renters had not agreed to take it over, nor had the Council ever assumed charge of it, although it paid two years ground rent

Thereafter

ager to the Chinese Government.

The present condition of the road is that nearly every vestige of the bridges has disappeared. Piers lie across the places spanned by them, and the one 20 or 40 foot road is now a mere borrow path. the farmers having appropriated the road to their uses.

The Company would propose to repair the road, using such means in regaining possession of the ground as would be just to the country people. Or. to get a grant of a road without reference to the old line, paying liberally therefor. A uniform width of forty feet seems desirable. in view of the future practicability of a double track. It is reasonable to suppose that the Chinese authorities may become so interested in the plan for repairing the old road as to be friendly in the premises. These facts can been kept in view in estimating the first item of Cost of the line. Deeds for the land when acquired. Should be taken out formally.

The purchase or acquirement of the land should be made in the winter season. after all the crops are harvested. This would materially lessen the Cost of land, as prospective damages are always reckoned by the Country people in case of standing crops. The grading should commence before the next planting season.

The sides of the road should be sodded. A piece at each side would be a wise measure. with lakes and watchmen at Crossings. It occurs to me however. that the ditches left at each side from grading. being full of water would afford the required protection.

The road should be substantially built.

and

and care should be observed in every way to insure safety as carelessness at the start of such an enterprise would unfavorably impress superstitious people.

The motive power to be steam. used in coal burning engines. Others would be a source of danger, and consequent expense from sparks emitted.

The rolling stock should be plain and substantial. It is considered that the trucks and frames of the ordinary 8 wheeled platform cars should be procured and such accommodations placed thereupon here, as occasion requires. Two first and two second class cars should be purchased with the plant, for immediate use.

The object of the enterprise is not at the moment a speculative one. There seems no doubt of its success, in time. It would be the entering wedge for railway enterprise in China, and that the people in this province would soon promote the extension of such schemes, after a successful experiment with this, seems reasonable.

The estimate of revenue is perhaps too low. The passenger traffic with Woosung is great, numbering thousands daily. The flagships of the several treaty-powers cannot cross the Woosung bar, and must communicate with Shanghai. Deep draught merchant steamers already have to transship portions of their cargoes, and facilities being afforded such, it seems reasonable to suppose that a revenue could be created from the sources named.

The Shanghai terminus should be near

near the East or South Gate of the native city. I have suggested the plan for crossing the English settlement, and perhaps the Council of the Concession Francaise would permit a way across their territory. Perhaps the South gate would be the nearest easily reached point to the air first named. This would take the line West of the City wall, In the event of crossing the settlements on the Street and the Company would not insist on the use of Steam, in case of a terminus near the East Gate, as the service could be performed by mules.

It might be practicable to cross the Creek at Woosung, and have a terminus in or near the City.

Several Trains daily, should be run, having frequent stations en route. By the use of the sleepers a single Track could be safely used at present. It should be so laid as to have room for a double Track when it would seem expedient, or necessary.

The Company would propose to have the Road in running order as nearly January 1st 1874, as is practicable.

It would propose to pay to the Municipal Councils, such equitable taxes for any rights granted by them, as might be mutually agreed upon.

The Estimated working Expenses are perhaps full, but many incidental disbursements are likely to be created, not accurately foreseen. I have estimated by European Engineers, but am informed that Natives, competent to the work may be had, the engines being of the simplest construction. I have made no estimate for profits.

The

The Company should be organized with a Board of not less than five or six Directors one Secretary & office Manager, and one Chief Surveyor Superintendent.

A Deed of Settlement should be made, providing for the usual Contingencies.

Upon the acquirement of the right of way, the Directors could enlarge into a public company, when subscriptions for stock might be asked. I have indicated in the Estimate, the Capital proposed, and the calls on stock deemed desirable.

Respectfully submitted —

C. P. Dewdney

Shanghai. Sept. 25. 1872.

Blethen — Forbes — Hayes — Iverson — Miller — Webb —

Estimate for working Expenses for One Year.

Estimate

3	Chief Engineers	2400 - 7.200	"
8	Firemen & Oilers	35 - 1.260	"
2	Foreign Conductors	100 - 2.400	"
6	Brakemen	10 - 1.080	"
5	Station Keepers	50 - 3.000	"
5	Switch tenders	50 - 2.000	"
20	Watchmen. One each ½ mile	10 - 2.400	"
10	Office and Station Employees	10 - 1.200	"
	Rent of premises. erecting ½ sheds for engines & cars.	2.600	"
	Coal for 8 engines. 8 tons per week each. = 468 Tons @ 15/-	7.020	"
	Coal for offices & Stations 50 Tons	750	"
	Oil. Tools. Shops. Sundries. ½ pairs of machinery per Day	2.000	"
	Land Tax Each year	470	"
	Office furniture. Stationery &c	1.000	"
1	Secretary & Office Director	6.000	"
1	General Superintendent	6.000	"
5	Directors Day	1.200	"
1	Book Keeper & accountant	2.000	"
1	Interpreter	2.000	"
1	Conductors. Guards. &c also wonder ticket agents Day	1.000	"
		£ 53,380	"
	Or Say Tales	41.685	"

Estimate Revenue

500	Passengers per day	20 x 36.500	"
500	" " "	10 x 18.250	"
500	" " "	5 x 9.125	"
500	" " "	2 x 3.650	"
10	Foreign " "	50 x 1.825	"
		£ 69.350	"
	Or Tales	52.013	"

Interest on Tl. 100.000 - paid up stock @ 6% 9.000 "

Balance 43.013 " 10,398 "

Income	52.013	
Expenses	41.685	
Tl	10,328	

Estimate for working Expenses for One Year.

Expenses

2	Chief Engineers	2400 - 7.200	"
8	Firemen & Oilers	35 - 1.260	"
2	Foreign Conductors	100 - 2.400	"
6	Brakemen	10 - 1.080	"
8	Station Keepers	50 - 8.000	"
8	Switch Tenders	50 - 2.000	"
20	Watchmen. one each ½ mile	10 - 2.400	"
10	Office and Station Employees	10 - 1.200	"
	Rent of premises. erecting of sheds for engines & cars.	2.000	"
	Coal for 8 engines. 8 tons per week each. = 468 tons @ 15/-	7.020	"
	Coal for offices & Stations 50 tons	750	"
	Oil. Tools. Shops. Sundries.	2.000	"
	Repairs of machinery &c Day	470	"
	Land Tax Each yeah	1.000	"
	Office furniture. Stationery &c	6.000	"
1	Secretary & Office Director	6.000	"
1	General Superintendent	1.200	"
8	Directors Day	2.000	"
1	Book Keeper & Accountant	2.000	"
1	Interpreter		
1	Conductor. Storeps. &c who would be ticket agents Day	1.000	"
		£ 55,380	"
	Or Day Tales	41.685	"

Estimate Revenue

500	Passengers per day	20 x 36.500	"
500	" " "	10 x 18.250	"
500	" " "	5 x 9.125	"
500	" " "	2 x 3.650	"
500	" " "	50 x 1.825	"
10	Foreign " "	£ 69.350	"
		Or Tales 52.013	"

Interest on Rs. 100.000 - paid up stock @ 6%	9.000	"
Balance	1.328	"
	Rs. 10.328	"

Dr

Expenses 41.685
Rs 10.328

Cr

Estimated Cost of a three foot guage Railw
from Shanghai to Woosung. 18 miles

For Right of way, Surveying. Purchase of ground
for a 40 foot road. and station rooms.
grading road, bridging the Creeks. and
preparing it for the ties and rails. $
45,0

" Cost of one mile of Rails. laying
Same. ready for use, Gold.
48 Tons Rails 30 lbs per yard @ $100- 4,800 "
830 Rail Splices 200 "
3520 lbs Spikes 250 "
3520 Cross ties 8 feet long 6x6 @30¢ 1056 "
Ballast 500 "
Laying track 300 "
$ 7,106 "

For 13 Miles. 13 x 7.106 = 92.
" 3 Locomotives 7.500- 22.
" 2 First Class Cars 8 wheels. 2,500- 5.
" 3 Second " " " " 1.800- 8.
" 20 Platform " " " which
Could be Converted into freight
or passenger Cars as desirable 1,500- 30.
" Telegraph one line of road. 1.
$ 199.
or Say Tals 149.

Proposed Capital.

2000 Shares @ Tls. 100- Each Tls. 200.

1st Call of Tls. 35 per Shar on allotment 75.
2d " " " " " " Road being Graded 75.
3d " On arrival of plant. if needed. 75.
4th " When required. at 60 days notice. 75.
Tls 200.

Estimate of Cost of Constructing a 3 foot Gauge Rail Road from Shanghai to Woosung. Distance 9 Miles. Way 10, including Sidings at Termini and way stations.

For one Mile.

			$ ¢
47½ Tons Rails 30 lbs per Yard. @	$75		3.563. "
330 Rail Splices.		50¢	165. "
3820 lbs Spikes.		6¢	212. "
3520 Cross Ties. 8 ft. x 5 x 6 in.		50	1760 "
Grading 1 mile.			1100 "
1000 Cubic yards ballast.			500 "
Laying 1 mile of Track.			300 "
		Per mile.	$7.600 "

For 10 Miles — @ 7.600 —		76.000. "
Bridges & Culverts for line. Say.		25.000. "
Plant.		
3 Locomotives.	7.500 —	22.500. "
2 1st Class Cars.	2.500 —	5000. "
2 2nd " "	1.800 —	3.600. "
2 Enclosed box Cars.	900	1.800. "
6 " " Platform "	425	2.550. "
Telegraph over line.	Say	1.000. "
Houses & Sheds.	Say.	6.000. "
Freight on plant.	Say.	9.000. "
		$152.450 "
$152.450 — = Taels 114.340 —		or,
	Say.	Taels 114340. "

Memo:- allow for difference of Exchange on plant bought in U.S. Currency. Say 10 to 12 %.

Proposed Capital —

	T. ¢
2000 Shares @ Ts. 100 Each	200.000 —
Present "Woosung Rail Co." Capitalized at	0.000 —

Estimate of Working Expenses for 1 Year.

		@	
2	Foreign Engineers.	150	
2	" Conductors.	75	
3	Native firemen & riders.	30	
2	Brakemen.	30	
5	Station Keepers.	20	
5	Switch tenders.	20	
8	Watchmen	10	
—	Office Boys & Sheroffs.	10	
1	Foreign overseer & repairs.	50	
	and a staff of 10 men.	8	
1	Foreign Secretary & office man.		
1	" out door Superintendent.		
360	Tons of Coal for Engines.	10	
50	" " " " Offices.	10	
	Land Tax & Cruise Boat.	470	
	Repairs & machinery.	2,500	
	" " Roadway.		
	Say $36,000 - = Taels		27,0
Add	Interest on $1. 200,000 - 8%		16,0
		Taels	43,0

Estimated Revenue

				$
500	Cruise passengers	@	15 ¢	27,3
500	" "		10 ¢	18,2
500	" "		5 ¢	9,1
20	Foreign "		50 ¢	3,6
				$ 58,4
	$ 58,400 - =		Taels	43,800. "

No allowance is made for light freight along the line, or for mails & freight from Steamers at Wooring Bar. These items would be considerable subsps.

O.P.B.

Woo. 7th 1873.

Estimate of Cost of Constructing Railroad
from Shanghai to Woosung. 9 Miles.

		@	$ ¢
475	Tons Rails, 30 lbs, per yard.	$75-	35625 00
330	Rail Splices.	50¢	165 "
3520	Rail Spikes.	6¢	211 20
3520	Cross Ties, 5'ft x 5"x6	50¢	1760 "
1000	Cubic Yards Ballast	50¢	500 "
	Laying 1 mile Track		200 "
	Grading 1 " Road (M.800)		1070 "
			$7,568 70

For 9 Miles $75.68. x 9		68,112. "
" Cost of Bridges & Culverts as per Mr. Hill's Estimate.		20,000 "
" 3 Locomotives	7,500-	22,500 "
" 2 1st Class Cars	2,500 -	5,000 "
" 2 2nd do "	1,800 -	3600 "
" 2 8-wheeled box cars. with "K."	900-	1,800 "
" 6 8-wheeled platform " " "D.D."	410-	2,460 "
" Telegraph Instruments. &c.		1,000 "
" Minor outfit. &c.		8,000 "
		$132,472 "

Add.
Difference Exchange on Cost of Engines
and Cars paid in currency.
say $44.360- @ 10% $4,436. "

Capital.

		$ ¢
2,000 Shares @ $. 100- Each		200,000 "
Say Present Road Owners pay Rest for		60,000 "
Amount to be raised by Subscription or bond.	140,000 "	200,000 "

Estimate of working Expenses for One year.

				$ ¢
2	Foreign Engineers	@	150-	3600 "
2	" Conductors		75-	1800 "
3	Firemen & Oilers (Native)		30-	1080 "
2	Brakemen		30-	720 "
5	Station Keepers		20	1200 "
5	Switch tenders		20	1200 "
8	Watchmen		10	960 "
10	Office boys & Messengers		10	1200 "
1	Foreign Secty & Office man			4000 "
1	" Supt. (out door)			4000 "
365	Tons Coal for Engines			3650 "
50	" " Offices			500 "
	Land Tax			470 "
	Repairs Machinery (Annual Say			2500 "
	Repairs & Rebuilding Cars Say			
	1 Engine Omnium 10 mm 50			1560 "
				$ 28,440 "
	Add interest on D. 200,000 - @ 8%			21,334 "
				$ 49,774 "

Estimated Revenue.

700	Chinese passengers	@	15 ¢	27375. "
500	" "		10 ¢	18,250. "
500	" "		5 ¢	9,125. "
20	Foreign "		50 ¢	3,650. "
				$ 58,400 "

Cost of working 1 Year & interest $ 49,774 "
Estimated Revenue 58,400 "
Balance 8,626 "

September 10th 1873.

P.

Chinese @ 15¢ 136 7.50
" " 15¢ 136 7.50
" " 10 91 25 -
" " 10 91 25 -
" " 5¢ 45 62.50
" " 45 62.50

No. 2

Enclosure No 1

Notes on Railroads

and

Chinese Translations

with

Call for Meetings

Reports on Surveys

論美國火輪車近證

竊美國自開鐵路創行火輪車一舉現在次第功成往來商旅雖不咸稱便利法至善焉昔五十年前買運貨或乘船楫或搭馬車或用馬駝水道則川河水溜高低不平之處于按段雖設有水閘然船隻過往將到一閘必先將第二閘之門關阻使後閘之水與前閘之水平然後放船前駛以次遞推如遇中國運糧河之天妃等閘也如是既多靡費又延時日今自火車一行不特直捷無滯而妥便之利益無極也夫江海火輪車路二項譬如人身一總血經蓋內地分河汊港旁路小徑無不與之相連以便商賈往來通運之道按泰西各國之火輪車路道里最長莫如　美國自東至西計一萬零二百八十四里僅須六日零八點鐘可以抵到即一點鐘行七十五里也統國境內凡有城市鄉鎮有五千人之處必築一車路通達總路為載運貨物之使惟開築火車路之法必先延一熟悉之人考察道路擇其合用近使之地勘定後廣集股份立一公司選一首領經理其事凡遇平地開以十丈闊為率如有高低之處則將高處之泥削平以補低處但須二十丈闊所經之處如國家官地不獨准其擇用即需用木料亦准聽其在路旁砍伐樹木概不徵取價銀即民間己地亦多願與築用不取地價或偶有一二不願者尚可邀人公估酌給地價蓋所用之地有限所利之事無窮緣其車路已成于左右一帶地價頓昂及一切生財之道無不日增月盛誠富國富民之計也如　美國之西多屬草野曠地國家現已許其開築火車路六十七條其內有數條惟人跡更少之地國家保其定然興旺可以獲利作成之後如國家遇事經用此路富照尋常減價倘係過兵並不要錢且不但地方興旺商賈便利並能銷禍亂于未萌蓋即遇小有告警之處有電報傳音火車之速其一切調兵遣將可以朝發夕至是不特有益民生更有益于國計也查　美國置設電線有二十一萬一千七百十三里　英國六萬六千里　法國七萬八千六百七十八里　普國六萬六千三百二十八里其　美國火車路始于一千八百三十年即道光十年僅有六十九里至一千八百四十八年即道光二十七年則有一萬九千四百七十三里一千八百五十八年即咸豐七年有八萬一千四百七十四里一千八百七十三年即同治十二年則又增至二十一萬三千三百二十七里此外尚有未經築成者六萬九千里　英國車路于一千八百七十三年有四萬六千四百八十八里　法國有

國家官地不獨准其按月自雇用不准其白占即占亦不准其永遠二
用不取地價或偶有一二不願者尙可邀人公估酌給地價蓋所用之地有限所利之事無窮緣其車路已成于左右一帶地價頓昂及一切生財之道無不日增月盛誠富國富民之計也如　美國之西多屬草野曠地國家現已許其開築火車路六十七條其內有數條惟人跡更少之地國家保其定然興旺可以獲利作成之後如國家遇事經用此路當照尋常減價倘係過兵並不要錢且不但地方興旺商賈便利並能銷禍亂于未萌蓋卽遇小有告警之處有電報傳音火車之速其一切調兵遣將可以朝發夕至是不特有益民生更有益于國計也查　美國置設電線有二十一萬一千七百十三里　英國六萬六千里　法國七萬八千六百七十八里　普國六萬六千三百二十八里其　美國火車路始于一千八百三十年卽道光十年僅有六十九里至一千八百四十八年卽道光二十七年則有一萬九千四百七十三里一千八百五十八年卽咸豐七年有八萬一千四百七十四里一千八百七十三年卽同治十二年則又增至二十一萬三千三百二十七里此外尙有未經築成者六萬九千里　英國車路于一千八百七十三年有四萬六千四百八十八里　法國有三萬二千八百六十二里　普國有三萬九千二百八十五里以上四國所設電線及車路之廣也凡築車路工費須看地勢如平地其價甚廉若遇高山峻嶺須掘洞穿山則工價較費如論　中國平地甚多作路之費必省以此等平坦之地如築九十里長者每三里計工價連同置辦火輪車及一切機器全具需洋自一萬二千至一萬六千元之譜倘築三百里長較上數略增有限蓋車路二十里與三百里所費之工相同也其火車行駛之快慢計一點鐘時行六十里至一百五十里車路之兩邊鐵埂對寬三尺至四尺八寸半火輪車長六

千至一萬六千元之譜倘築三百里長車路費即
行駛之快慢計一點鐘時行六十里至一百五十里車路之兩邊鐵埂對寬三尺至四尺八寸半火輪車長六丈至七丈可搭客四十至八十人車輪之輕重每一輪計重九噸至五十噸可載貨四十噸至六百噸如人貨過多尙可以車將車魚貫而行所燒之煤較火船甚省每車只用管輪一人燒煤一人此項火車最廣招生意人亦可藉以遍遊各埠增廣見識昔　美國有接壤一城名抱斯登有一公司試造車路一百三十五里以此路計算每年可獲二萬三千五百人過往之利迨一二年後則每年增至二十六萬二千八百三十人及至六年後則有八十萬七千一百四十三人來往之利然在搭客車價每里不過需洋一分即運貨之價亦不甚貴惟另有上等極好之車其坐椅係以繡麗洋絨鋪墊車內並能下榻兼可烹調寢食起居無不適意此等車位需另加價矣至火車製有各種如需何樣請閱車圖辰下泰西各國均有車路惟　中國獨無中西之人無不引領延望日冀　中國之開築車路蓋以車路實能廣招生意兼與富國相維繫故也此等利益西人固知之即　中國之有知識者亦未始不目爲善舉特有無知者或謂洋人勸作此路以其中有私意存焉噫嘻是何言歟試思泰西各國皆因有車路而受益豈　中國之製車路而獨有害耶且夫人之聰明才智一己有限旁搜遠紹則日進高明擇善而從古有明訓安可一國徒執己見甘讓他國各有其利而不思善善從長乎即以泰西各國言之其所經用之事無不能致富强亦非一人一國之才智要亦彼此效法耳　中國近年以來始行振作所事亦漸取法乎泰西如再能開築車路設立電線以及開挖煤鐵等壙則國家由此而富强商民由此而利益其他美舉有不蒸蒸日上者無是理也倘有河漢斯言者請至泰西各國遊歷察看便知不誣即僅至　美國已可略見一斑矣

儀裝圓火輪車亞細

[illegible]圓自開辦滬行火輪車一道near五六年前英商試辦行走後因客稀貨少虧折停歇近十年有[illegible]
[illegible]圓火輪車一道near五六年前英商試辦行走後因客稀貨少虧折停歇近十年有[illegible]

Shanghai. Nov. 22nd 1872.

With Mr. Alabaster's Concurrence, the undersigned invites the Gentlemen named below to meet at Mr. Alabaster's residence at five O'clock p. m. to-day, to speak in relation to important business.

Very Respectfully
O. N. Nicolson

C. Dixon Esq. Ed.
J. J. Miller Esq. Hm
A. A. Hayes Esq. Herald
C. R. Benham Esq. 0138 for C.P.B.

-No. 2-

Report of Meeting of 14th Dec. of the Aberdare Permt - Aberdare - [redacted] Hayes & Bridgend

Report on line of Road to Woodside.

On the 18th instant I went, in Company with Messrs. Bruton and Haas, over the old road to Woodside, to view the most practicable line for the proposed Railway.

On approaching Kay's we found that the old road had not been encroached on so much as [redacted] on the end nearest to Llanharan.

Beyond Kay's for several miles the line of the old road is of sufficient [illegible] for a railway track. But of an average width of say 10 - 12 feet.

In some places we found a Reclaim the old road for several hundred yards. quite undisturbed. except by the growth of grass & trees. I think that one-half of the old road could be used to advantage for a railway. and obtained at small cost. It would then remain to construct those points. always within sight. which could not acquire any [illegible] or deviation in direction.

The principal [illegible] existing to [illegible] adoption of the line of the old road, [illegible] [illegible] [illegible]

abroad. Not a Canoe from the
Creeks or Rivers but Comes to Wanny village
and requires but a slight deflection from
right line, to strike the Fortune and go
into Town. when Population was rated at
6000 - 150 Koh Dzu is said to Contain 2000
Souls. and the others villages, asked about, several
hundreds each.

For the most part ~~are found~~ the Creeks
and rivers Canoes Could be best crossed by
single 6 or 10 feet Culvert of brick.
which would give more room under the
Road than now exists into the rude
Native bridges - For the large streams
it is estimated that two spans Could be
made in Shanghai. to meet any requirements
of traffic.

I Consider that with the present
Navy began as a Matrimonial Survey
& Mensuration. We do not need to make
explorations too fast. by the use of boats
and instruments which the natives
have procurable. Any practical man
could run the lines named. with a
Prismatic Compass and two Coolies -

At an interview between Mr.
Minister Cumberland and His Excellency the
Tai Tai, the question of paying Land for
the new roads was raised, and Mr. D.
Ross was appointed as the part of the Company
Ministry. and His Excellency on behalf of
the Chinese, to survey & purchase the lands.
as the Officials have been successful in
obtaining at moderate cost, the ground
for the projected road. and their Appointments
will

with the Trees and Tenants in the immediate district is in their favor, to acquire the land required in this scheme.

In view of these facts I would suppose that Mr. Haas be requested to take such action with Council as will best secure the right to purchase the ground for 40 foot road to Wooney, starting at a point near the Gas works. Way to arrive with the Tenants at a Cutoff price to be paid for each piece of land acquired. On such steps being taken the application may be made to the Parliament to issue deeds for the land. This Course would seem to me to be the one least likely to create suspicion. On being ready to apply for the deeds funds would be required. Then the names of the Council might be known more publicly. Perhaps by a little trouble, the matter need not be brought into notoriety until the deeds are actually in possession of the Company.

If the Gentlemen present will approve this proposition, I will request Mr. Haas to carry on the enterprise in the manner indicated. That Gentleman being now in connection with my Firm, as Interpreter.

I suppose to make another view of the running ends of the line, with the object of learning the exact approach to that City, and the line on the West of Hay River.

Yours Truly
D. D. Mackenzie

Edmonton October 14th 1902.

Alabama -
Boyd -
Miller -
Dunn -
Bullock -
Barbour -

Report of observations on the Woosung and of the Kiaping Road.

On yesterday I went to examine the land lying at the Woosung Creek, and beyond the point reached at the survey made with Messrs. Blenkin & Haas.

There is a water course, or tidal ditch, which opens a bout a little higher than the fields from the Creek opposite the village of Woosung, in a desirable direction to intersect the line of the old road, at a point 1500 or 2000 yards West of the Customs Signal Station.

The village of Woosung does not extend so far westerly as would seem from a point on the river. No bridge spans the Creek in front of the town. Passages for Shanghai. & Crass in ferry boats. & Stinks the whole.

There seems to be plenty of ground available for building & space required for town tables. &c. immediately opposite the town - and about 1000 yards from what is known as "Jardine's bungalow". A point much nearer that building is too low & marshy ~~for~~ to be ~~used~~ desirable.

Shanghai October 28th 1872

D. J. Blake

1/3

No 3 Ev.

No. 3/

Meeting Oct 28/72
Report approved
& adopted

No 3.

Enclosure No. 3 ~~No. 3.~~

Individuals constituting

Woosung Road Co.

and

Minutes of Meeting

Memorandum of a meeting held
at the Alabasters on Saturday Nov. 16th
Present. Messrs. Alabaster. Bellairs
Hoyes. Inman Miller & Bradford.

Upon Considering the maps. and
hearing the views expressed by the
several gentlemen upon the best point
for a termini in Hong Kong. it
was unanimously determined

That the most Convenient point
of approach to the suburbs. was the
Rifle butts. from which point the
line Could be run to King Wans.
and to the Soocuna Creek. & point
near the Aberdeen Road. The
position obtained at the Rifle butts
offered facilities for extending the
line both of the Native City. (Should
such be hereafter desirable) without
any obstruction by land held by
miners.

It was also agreed to ask Mr
Bax to take steps in accordance
with the above named points of
departure. & touch the West end of
King Wan. and obtain the ultimate
of the road Cross across the swamp
to Pac Shan. Upon his
giving the estimate for the land, it
would seem desirable to commence
the work of making the road.

It was the opinion of the meeting
that a tower of some Kind be erected
near the rifle butts. for use as ground
& signal Stops. Ords. &c.

O. F. Bradford

Hongkong. Nov. 18th 1872.

Meeting Nov. 18

No. 4.

Enclosure No 4

Extract from Pamphlet

"England and China"

page 19

-Inclosure No. 4.-

as pretentious. As to the application by the Consuls for an exemption of duty on the material of the railroad, the communication only stated that the material was intended for the building of a carriage road, and nothing was said about a "steam-engine road." The writer had then refused the application. As to the leases sent to him for the purpose of being stamped, he refused also to seal them. Many of the leases belonging to the company uot having been stamped, how can the company claim the ground to be theirs? The writer has objected to the progress of the work, but he has only done so by peaceful means and on principles of right; he has never used violence or force to obstruct the work. That to sum up his objections, the writer would point out to H. B. M. Consul, particularly to the U. S. Consul, that according to the subsequent convention made by China with Poo An Son (? Anson Burlinghame), article No. 8, it is stipulated that in the construction of railroads the right is reserved to the Emperor of China.

Now the Emperor of China has never issued any edict in the matter of constructing railroads. If the Consul persists as before in assisting the Company to carry out the scheme, he commits a breach of international law, as well as of treaty obligations. To assist in an underhand and a deceptive concern causes injury to the Chinese Government and to its people. Such pertinaciousness is clearly detrimental to China in her friendly intercourse with the treaty Powers. That article 39 of the English Treaty provides that in the shipment and discharge of goods, a permit

Extract from pamphet
"England & China"
page 19.-

Enclosure No. 5. No. 5

Extract from Pamphlet

"England and China"

Sep. 18 & 19

Enclosure No. 5.

more, then, is permission necessary for the construction of railroads? Then when permission was granted by the late Taotai to purchase, it was only intended that there should be an ordinary road. That on the 24th April, 1873, when the late Taotai granted the permission to purchase in his communication of that date, there was nothing in it which could be construed into a concession of additional rights or privileges; the Taotai had, moreover, refused to accede to the proposition of a poll-tax being levied. That when the application was made to the Taotai, the Consuls did not indicate in any way clearly to the Chinese officials what use the purchasers were going to make of the land. If it had been known to them that the purchasers were to run a railroad, the Chinese officials would never have consented to the purchase of the land. That in the communication of Consuls, Alabaster and Bradford, the object therein stated was to make an ordinary road, therefore the late Taotai granted the lease; but if it were converted into a railroad now, it would be in violation of the original object stated in the communication. Consequently all the leases and proclamations issued on the project of road-building issued by the late Taotai, will be regarded as waste paper. That inasmuch as the project proposed is one that cannot be permitted in any other country, unless the sanction of the local authorities has been obtained, the writer must object to the scheme, because permission had not been granted by the Taotai, and any assumption of right must therefore be regarded

as pretentious. As to the application by the Consuls for an exemption of duty on the material of the railroad, the communication only stated that the material was intended for the building of a carriage road, and nothing was said about a "steam-engine road." The writer had then refused the application. As to the leases sent to him for the purpose of being stamped, he refused also to seal them. Many of the leases belonging to the company uot having been stamped, how can the company claim the ground to be theirs? The writer has objected to the progress of the work, but he has only done so by peaceful means and on principles of right; he has never used violence or force to obstruct the work. That to sum up his objections, the writer would point out to H. B. M. Consul, particularly to the U. S. Consul, that according to the subsequent convention made by China with Poo An Son (? Anson Burlinghame), article No. 8, it is stipulated that in the construction of railroads the right is reserved to the Emperor of China.

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Extract from pamphlet
"England & China"
pp. 18 & 19. —

No 6

Enclosure No 6

Extract from Pamphlet

" England and China "

p.p. 112 & 113

Enclosure No. 6.

from the fact that the Company ran a very serious risk in making the attempt. There seems but little doubt that to make a railroad across highways, byeways and watercourses, without Government permission, is a measure for which no precedent is forthcoming: the mere fact of the strip of ground upon which the rails and sleepers were actually laid having become the private property of the Company by right of purchase, is really nothing to the point. It has been said that, as the road was freely sold to the Company by the proprietors of the land, therefore the Company was able to use it in any manner they thought best. This is incorrect. It is very doubtful whether, in Europe, any individual would be permitted to construct a toy-line even on his own private property, with a view to carrying passengers; unless, indeed, he complied with the official regulations as regards substantial construction, rolling-stock, and so on. The Duke of Sutherland might certainly make a railroad through his grounds if he felt so disposed, the termini being situated at each of his park-gates, so that the trains should not trench upon the public thoroughfares at all; but we are very much mistaken if, to carry the public, a special Act of Parliament would not, even in such a case, be requisite. Any enterprise in which the public have an interest must be brought under the control of the Government to a certain extent, even if only for the protection of the public itself; and the promoters of the Woosung Railway Company certainly reckoned without their hosts in attempting to evade the necessary Government interference in the case before us.

If ingenuity, however, be a title to success, then have the Directors of the Woosung Railway Company been very hardly used. The ground was purchased in the first instance by American citizens, who styled themselves collectively the Woosung *Road* Company. It was then sold by them to another body yclept the Woosung *Tramway* Company, and

transferred with the usual formalities. In the Chinese title-deeds the road was set forth as being not a *ma*-loo (horse)-road, but a *ch'é*-loo, (carriage)-road; and in the English version the word "carriage" was replaced by its synonym *car*, which by the easy addition of an "s" became "cars" —*i.e.*, the American equivalent for railway-carriages. The neatness of this was perfect, and for a long time it seemed as though so admirable a stroke of *finesse* had really gained the day. But the Chinese authorities were upon the watch. The Tao-t'ai had to shield himself from punishment and disgrace, and he knew full well what he was about. He was able to plead with perfect truth that the affair had been commenced during the incumbency of Shên, his immediate predecessor; but Shên could clearly reply that *he* had only known of the purchase of ground for a simple road, and that the development of the scheme had taken place while Fêng held the reins of power. So the works were allowed to proceed until they were completed, or nearly so, and then Fêng Tao-t'ai entered his memorable protest. This, of course, was indispensable, and we consider that the document he then drew up was a remarkably clever one. This set the ball rolling, and the controversy was then opened in good earnest. It is said that in his first communications with the Chinese authorities Sir Thomas Wade gained a decided advantage; so decided, indeed, that they relapsed into a sullen silence, and, without giving any formal consent, nevertheless seemed to retire from the contest, evincing no disposition to put further obstacles in the way. The discussion however, was subsequently recommenced by Sir Thomas Wade, who, doubtless seeing good reason why he should not let well alone, sent down instructions from Chefoo that the traffic was to be stopped at once. At, last after months of talking, Mr. Mayers arrived on a mission to the Viceroy of Nanking, with whom he soon came to an agreement, subject to ratification by the interested parties at home. The con-

Extract from pamphlet

"England & China"

pp. 112 & 113. —

No 7.

Enclosure No 7

Extract from Pamphlet

"England and China"

pp. 104, 105, & 106

Enclosure No. 7.-

severe temporary injury to the labouring class; but the policy of such introduction is defended on the ground of the increase of general prosperity. But in China the question is one of starvation and revolution or anarchy, in many provinces at the least. While machinery has been gradually introduced into European countries, in the case of China we are suddenly threatening a vast over-populated empire with all the splendid mechanical contrivances of Europe planted there at once. One of our Consuls has written with regard to the disturbance even of the coasting trade,—for which the Chinese themselves are responsible, but which is trifling as compared with that which would be caused by the admission of steamers to the inland or river trade:—"Thousands of Chinamen were thrown out of employment by the introduction of foreign vessels. One may reckon that for every hundred tons of foreign shipping employed on the China coast, thirty Chinese were deprived of their means of living. The introduction of railways into China would create far greater distress, and I conscientiously believe that the Chinese Government is not yet capable of coping with the difficulties which too sudden an introduction of railroads would occasion."

The English newspapers have contained of late long letters relating to the opening of a Chinese railway. I am sorry to be forced to refer to this matter as an example of our unfair dealings with the Chinese. There used formerly to be a road from Shanghai to Woosung. Permission was asked of the prefect of Shanghai to re-make this road, which had fallen out of repair. A Company was got up in London, and called "The Woosung Road Company." It is still so called. After a while rails were ordered, and "the road" was called a "tramway." The first that the Chinese authorities heard of the Woosung *railway* was when they were asked to let engines for it come into China duty-free. Messrs. Jardine and Matheson have made this railway; Sir

Thomas Wade was at Shanghai when it was opened, and was staying with that firm. He was invited to the opening ceremony, and he did not go; but Mr. Medhurst, Consul at Shanghai, was present, and drank to the prosperity of the railroad. Are Messrs. Jardine and Matheson more powerful than the Chinese Empire, because this railroad of theirs has been made in defiance of treaty? From documents which have been published by the Shanghai papers, I gather the following facts. The prospectus of the Company, which stated that the Chinese authorities were "favourable to the scheme," stated that which was untrue. In 1872 the British Consular authorities asked leave of the prefect of Shanghai, on behalf of the Company, to take steps to re-open the old carriage road. In March 1873, the American Consul, who is, I believe, a shareholder in the Company, made a similar application to the prefect. The prefect, in assenting to the road, objected to the levying of tolls upon it, as being contrary to Chinese custom, but made no other difficulty. In May 1873, the road began to be called a tramway by the papers. The prefect wrote to Mr. Medhurst to call his attention to this fact, and to repudiate the rumour that the Chinese Government had given its consent to such a scheme. Since he has learnt that a railway was to be made, he has repeatedly informed our Consul that its construction is most objectionable to his Government, and Mr. Medhurst has made no public answer to his protest. The prefect has lately written an important despatch, published in the Shanghai papers, in which he sums up the whole question. He says: "The right of controlling public works, and the making of railroads in every country, is vested in the Government of that country. No railroads can be made in England which affect property, or interfere with roads and water-ways, without the express sanction of the legislature. When foreigners buy property in a foreign country, such property must be subject to the laws of the country in which

it is situate, except in cases affected by express treaty stipulations. There are no treaty stipulations between England and China authorising the purchase of land for the making of railroads. In the formation of the Woosung railroad a number of public roads, pathways, and water-courses have been destroyed, to the great inconvenience of the population. Bridges have been built over creeks, and the passage of boats laden with cargo prevented." This despatch has not, it appears, been answered. It seems unanswerable, and I know not how Mr. Medhurst will be able to clear himself from the charge of a singular want of caution in attending the opening ceremony of the Woosung railroad, nor how Sir Thomas Wade will be able to explain the fact that he seems to have made no reply to the repeated communications of the Chinese authorities.

From "The Scotsman," Oct. 12th, 1876.

The Chinese are extending their railway experiences. They have had a fatal accident, and a quarrel has arisen between the Railway Company and the Government, which threatens to assume serious proportions. About the accident there is some doubt; it is doubtful, that is to say, whether the death in question was accidental or a case of suicide. Native opinion leans to the latter alternative; and there are fears that, the utility of the railway as a clean and expeditious instrument of suicide having been demonstrated, its popularity may increase only too rapidly. About the quarrel, on the other hand, there seems to be no doubt. The Chinese Government objects not only to the railway, but also—and not, it is to be feared, without good reason—to the way in which the making of the railway has been gone about. When the opening of the Shanghae and Woosung line was commented on in these columns in July, the significance of the event was said to consist in the fact—of which then no

Extract from pamphlet.

pp. 104. 105. & 106.

"England & China"

No. 8

Enclosure No. 8

Sir Thomas Wade

to

W. H. Medhurst Esq.

Dated Peking Feby. 23d. 1875

Enclosure No. 8. (Copy.) Rec'd March 8th

No. 9

Peking February 23d 1875.

Sir:

I am in receipt of your despatch No. 6 of the 6th instant, reporting a Collision arising out of the acquisition of land for the construction of a railway between Woosung and Shanghai.

You observe that you have not officially knowledge of the progress made by the projectors of this railway, but that such steps have been taken, as make farther operations immediately probable. and you request my instructions regarding the Course you are to pursue, when the time comes, for the adoption of a "definite policy."

I am not quite sure that I exactly understand these words. but I shall endeavor to give you such instructions as your report, which is confirmed by the newspaper account of the Collision, suggests to me.

The ground on which it is proposed

to

to lay the railway, must be pretty nearly that over which a road was first carried, twenty five years ago: the greater portion of it having been acquired for a consideration of the proprietors, by the subjects and citizens of various Treaty Powers. - I have heard at different times of disputes regarding portions of the ground, in question, of a kind to indicate that the transfer of it to foreign hands had not been duly completed. I take it for granted, that this objection, which would prove serious to the prosecution of their scheme, has been carefully removed, by the projectors of the railway, and that their title is complete to whatever ground, they propose to make use of. If this be not the case, they should lose no time in securing such a title as if there be any show of popular opposition to the undertaking, it can scarcely fail to be supported by the Chinese Authorities. The newspaper account appears to show that a pond belonging to the woman whose dissatisfaction occasioned the assault

assault complained of, had been filled up by the railway people, before she had received any consideration for it.

There is another possible ground of opposition, to be anticipated: to, wit, that Woosung is not Shanghai. Should this objection be advanced, the answer by which it is to be met, is supplied by Article XII of the Treaty of Tientsin, which provides that British Subjects, "whether at the ports or at other places" shall be enabled to acquire land or buildings. The introduction of the words "other places" into this article was specially suggested by the difficulty we had experienced, in the case of Woosung, Ku-lang-su and other places not literally "at the ports". Were the foreign community to choose to continue the Hong-que suburbs from Shanghai to Woosung, its right under the British Treaty is not to be gainsaid. It follows equally that a road or street may be constructed through such a suburb, and it would be difficult to show that on such a street or road, the parties constructing it could not, under treaty lay a tramway, or a railway. In

Sum

sum. I regard the acquisition of the land destined for a railway between Shanghai and Woosung, if it should have been acquired "at the rates prevailing among the people, equitably, and without exaction on either side", as a Treaty right, and I contend that its employment for the construction of a tramway or railway, in no way contravenes the Treaty.

I am not assuming the motive of the attack you report to be the hostility of the people, or their authorities, to the railway scheme. Your report gives a very sufficient explanation of the riot. But when you ask for instructions as to the "definite policy" to be hereafter pursued, I take it for granted that hostility of the kind, more particularly on the part of the authorities, is your rock ahead. The Authorities, however, will hardly venture to take action themselves, without first appealing to you. In that case, you will give them the answer above, which is the answer I shall make, if appealed to by the Tsung-

Tsung-li-yamên.

If there be a popular demonstration, you must be guided by circumstances. Open violence, as I have laid down in my despatch No. 25th on the 27th May last, regarding the riot on the French Concession, must be checked without delay. and it is above all things desirable that the Chinese, whether people or Government, should see the foreign authorities acting together in such a case, without distinction of nationality.

The Chinese authorities ought of course the moment disorder is apprehended, to be called upon to keep order, receiving your assurance that any wrong alleged, shall be enquired into. They should be warned that the responsibility of the consequences of any tumult, if they do not take action, will rest upon them: and you will defer resort to force, so long as, consistently with the safety of the persons or property, threatened, this may be postponed: but the Authorities must be made to understand that the people will not be allowed to take the law

law into their own hands.

As to the railway, I sincerely desire its success, and it is for this reason that I shall take on me to add one word of recommendation to the projectors. So far as you may be able to influence them. They should, in my opinion, deal very liberally with the proprietors of any lands they may want. If the railway becomes a fact, it will prove an important advertisement of the utility and practicability of similar enterprises. I leave you a discretion to show this dispatch to your Colleagues or other persons, but I cannot authorize you to publish it.

I am Sir,
Your obedient Servant.
(signed) Thomas Francis Wade.

W. N. Medhurst Esq.
&c. &c. &c.

Enclosure No 9

C. P. Kreyer

to

Dr.. D. B. McCartee

losure No. 7.

(Copy)

Shanghai Oct. 29th '77.

Dr. D. B. McCartee
Interpreter &c.
U. S. Consulate General.

Sir:

I beg to acknowledge receipt of yours of 25th inst. requesting me to state the substance of the conversation between H. E. Fêng, and Mr. Seward, referred to in Mr. Bradford's despatch to the Taotai dated April 12th/1876; and to give you the date when H. E. Fêng became Taotai of Shanghai.

In reply, I have the honor to state 1/ that the date on which Fêng taijen entered upon the office of Intendant of this port, is the 21st day of the 12th moon of the 13th year of the Reign Tung-che (Jan. 27th 1875.).

2/ That the conversation to which Mr. Bradford's despatch refers took place on the 31st of Aug. 1874. or at most, two or three days previously to this date. — that is to say five months before Fêng taijen

tajen, entered upon the office of Intendant, Fêng tajen was at that time Director of the Kiangnan Arsenal, and being about to proceed to Tientsin for the purpose of presenting to Grand Secretary Li, a scheme for the developement of the mineral resources of Formosa. he sought an interview with Mr. Reward, to ascertain his views regarding this matter. Other gentlemen had likewise given their opinion eg. Mr. Anecke, Consul for the German Empire at this port.

Mr. Reward promised at the interview in question to embody his views in a document, a copy of which you will probably find among the archives of the Consulate General. This document reached Fêng tajen at Tientsin and was forwarded to him by Mr. Sheppard, at the time U. S. Consul for that port. It is dated, I think, Sept. 6th or 8th or there abouts, in the year 1874. and contains itself the substance of the conversation which your note asks me to "be good enough to state."-

A day or two before this interview took place

place. I called on Mr. Reward and made arrangements as to time, and place, at which, it might be convenient for him to see Fêng tajen. Mr. Reward knew very well, that the sole purpose of the interview was the Formosa scheme, which I have already mentioned. Everything else, therefore, that was brought up in the course of the conversation, must be considered as apart from the well understood purpose of the interview, and the attempt on the part of Mr. Reward, to enlist for the Wooeung Railway, the sympathies of Fêng tajen, at the time, simply Director of the Kiangnan Arsenal, and having nothing whatever to do with the territorial administration of this province, goes far to show how weak, legally, the promoters of this Railway scheme, must have felt themselves.

The conversation about the Railway so far as I can remember it after an interval of more than three years, was as follows:

Mr. Reward: "You Chinese Mandarins have a great failing. You are afraid to report to

" to your superiors, any thing that you
" know, does not fall in with their views.
" You need more moral courage. It
" would be much better for China, if the
" officers at the various treaty ports, were
" to represent the actual state of facts to
" their superiors. Much prejudice might
" then be removed, and many complications
" avoided."

Fêng tajen: "I am not afraid, to represent
" to my superior officers, what it is my duty
" to make known to them."

Mr. Seward: "There is one thing I wish you
" to report to Li hung chang, when you see
" him. Will you do so?"

Fêng tajen: "What is it?"

Mr. Seward: "We foreigners are going to
" make a railway, from Shanghai to
" Woosung, the land for which is already
" purchased."

Fêng tajen: "I hope you will not do so.
" You will get Shên tajen" (at that time
Taotai of Shanghai) "and Chên talanje"
(Judge of the Mixed Court) "into trouble, if
" you make a railway on the land they
" have assisted you to purchase. I do
not

" not, think, the Tsungliyamen, and the
" Commissioner of Trade for the Southern
" Ports, will give their consent for such an
" undertaking."

Mr. Seward: " I really do not think, there
" can be any reasonable objections to this
" Railway. The land on which it is to be
" laid down, has been sold to the foreigners
" It is their property. They pay taxes on
" it to the Government. They can do with
" it, what they like. Moreover, this is not
" as if we were making a Railway into the
" Interior of China, on the Contrary, it
" goes from Shanghai to Woosung, It
" goes out toward the sea, to the very
" place by which we foreigners have to
" pass, as we come in our ships from the
" sea, on our way to Shanghai. You
" will in this way see what a Railway
" is. You will receive a practical illustration
" of the speed with which it carries you,
" and of the comfort with which you can
" travel."

Ting tajen: " I do not think a Railway
" would pay here in Kiangsoo, where there
" are so many rivers, and Canals, Moreover

I

" I came here to speak to you, about
" Formosa. When we develop the mines,
" we shall need Railways to carry the
" minerals from the mountains to the
" sea. Eventually the same may be the
" case in the interior of China. At-
" present, the Emperor of China has not
" given his consent to build Railways"
Mr. Seward: "I see you are like the
" rest of the Chinese Mandarins. You are
" afraid to speak about the matter to
" Li hung Chang."
Feng tajen: "No. I am not afraid, but
" I can tell you, that, if you make this
" Railway, trouble will come.

The above is, so far as I can re-
call it, the conversation about the
"Road" to which Mr. Bradfords despatch
refers. I do not remember anything else
of importance, having been said by
Mr. Seward on this subject. The
Interview, apart from the Formosa
scheme, was taken up with a re-
discussion on the mineral resources
of the Eighteen Provinces —

I have

I have the honor to be
Sir:
Your obedient Servant.
(signed) — Carl P. Kreyer. —

C. P. Kreyer -
to.
Dr. D. B. McCartee.

Shanghai Oct. 29th 1877.

Enclosure No. 10

Extract from Pamphlet

"England and China"

pp. 112 & 113

Enclosure No. 8.

from the fact that the Company ran a very serious risk in making the attempt. There seems but little doubt that to make a railroad across highways, byeways and watercourses, without Government permission, is a measure for which no precedent is forthcoming: the mere fact of the strip of ground upon which the rails and sleepers were actually laid having become the private property of the Company by right of purchase, is really nothing to the point. It has been said that, as the road was freely sold to the Company by the proprietors of the land, therefore the Company was able to use it in any manner they thought best. This is incorrect. It is very doubtful whether, in Europe, any individual would be permitted to construct a toy-line even on his own private property, with a view to carrying passengers; unless, indeed, he complied with the official regulations as regards substantial construction, rolling-stock, and so on. The Duke of Sutherland might certainly make a railroad through his grounds if he felt so disposed, the termini being situated at each of his park-gates, so that the trains should not trench upon the public thoroughfares at all; but we are very much mistaken if, to carry the public, a special Act of Parliament would not, even in such a case, be requisite. Any enterprise in which the public have an interest must be brought under the control of the Government to a certain extent, even if only for the protection of the public itself; and the promoters of the Woosung Railway Company certainly reckoned without their hosts in attempting to evade the necessary Government interference in the case before us.

If ingenuity, however, be a title to success, then have the Directors of the Woosung Railway Company been very hardly used. The ground was purchased in the first instance by American citizens, who styled themselves collectively the Woosung *Road* Company. It was then sold by them to another body yclept the Woosung *Tramway* Company, and

transferred with the usual formalities. In the Chinese title-deeds the road was set forth as being not a *ma*-loo (horse)-road, but a *ch'é*-loo, (carriage)-road; and in the English version the word "carriage" was replaced by its synonym *car*, which by the easy addition of an "s" became "cars" —*i.e.*, the American equivalent for railway-carriages. The neatness of this was perfect, and for a long time it seemed as though so admirable a stroke of *finesse* had really gained the day. But the Chinese authorities were upon the watch. The Tao-t'ai had to shield himself from punishment and disgrace, and he knew full well what he was about. He was able to plead with perfect truth that the affair had been commenced during the incumbency of Shên, his immediate predecessor; but Shên could clearly reply that *he* had only known of the purchase of ground for a simple road, and that the development of the scheme had taken place while Fêng held the reins of power. So the works were allowed to proceed until they were completed, or nearly so, and then Fêng Tao-t'ai entered his memorable protest. This, of course, was indispensable, and we consider that the document he then drew up was a remarkably clever one. This set the ball rolling, and the controversy was then opened in good earnest. It is said that in his first communications with the Chinese authorities Sir Thomas Wade gained a decided advantage; so decided, indeed, that they relapsed into a sullen silence, and, without giving any formal consent, nevertheless seemed to retire from the contest, evincing no disposition to put further obstacles in the way. The discussion however, was subsequently recommenced by Sir Thomas Wade, who, doubtless seeing good reason why he should not let well alone, sent down instructions from Chefoo that the traffic was to be stopped at once. At, last after months of talking, Mr. Mayers arrived on a mission to the Viceroy of Nanking, with whom he soon came to an agreement, subject to ratification by the interested parties at home. The con-

Extract from pamphlet
"England v China"
pp. 112 & 113. —

Enclosure No. 11

Mr. Bradford

to

Pau-Pai

Dated July 18th 1873

No. 6084.

United States Consulate General.
Kanagawa. July 18th 1873.

His Excellency Kin Yan Tai;
Kanagawa.

Sir:

I have the honor to inform you that when
Woosung Road was being laid out at
back part of the Hung Kew settlement.
price agreed upon as the full value of
land, was fifty thousand Cash per
mow. So soon as the negotiations
terminated success. I desired to purchase
certain lot of ground on the west of
said road. between two Creeks. and
informed the people. the price which
was Cash. Nothing was mentioned
from His Honor Chen and me. Hence
agreeing to the price for it. they raised
no objections. there are no graves on
it. and it is a clear lot. with two or
three owners. They give no good reason
for not Complying with the same rule
under which the other land was
purchased. and ask an exhorbitant
sum for the land. notwithstanding the
established price of fifty thousand Cash per
mow. I am desirous to obtain the
land. and am Compelled to request you
to examine the case. and direct the owners
of the land to sell it to me at the rate
established for the road. viz: fifty thousand Cash
per mow. I am, Your Excellencies humble servant.

O. H. Gresham - vice Consul General.

L No 111-

Enclosure No 12

J. M. Batchelor

to

O. B. Bradford

Ans
Nov 7 B

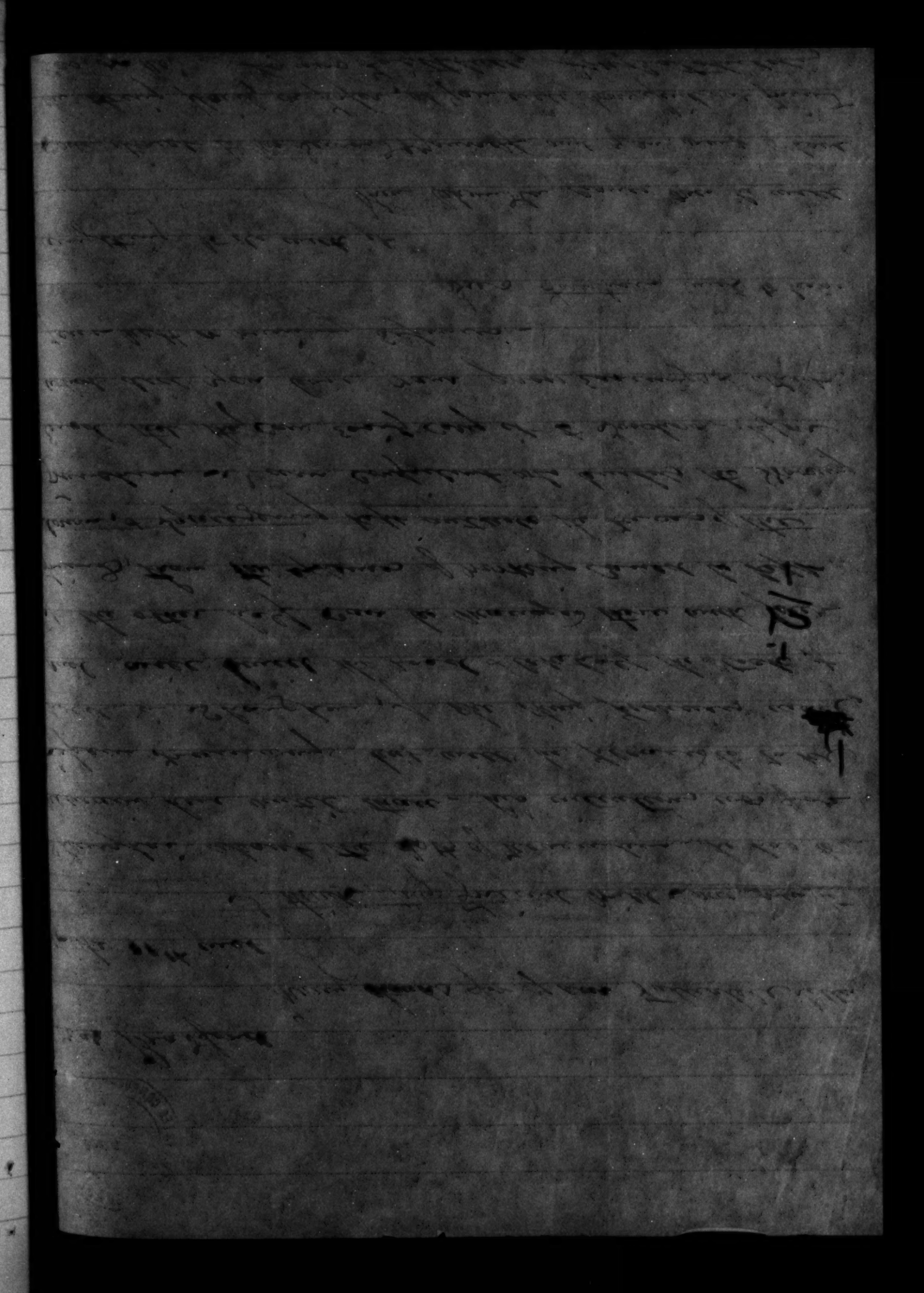
Dear Bradford

Many thanks for your Valuable Letter of the 11th inst

I think my Friend will come over to Shanghai about the 20th of November - he has to remain here until then - his intentions was for Japan Treaty ports - but will be pleased to take hold in Shanghai, if the thing promises well, and will build the road & take half the Stock, & if the other half can be managed there with your Friends, then the expenses of working could be kept down, & squeezing kept outside the limits of the Foochow - I am confident who builds the Woosung Road that they can easily carry it to Foochow - Upon what did you base your gross Earnings, & what your nett or running Expenses -

Does Farnham wish to have anything to do with it

When Chandler comes over he will come direct to the Leonard & yourself and you want to have the thing plainly on Paper, as you will soon find our Friend Yes, or No. Yours Faithfully Jno Bateholder



Enclosure No. 13

Dr. McCartee's Report

to

Hon. G. Wiley Wells

United States Consulate General
Shanghai November 6th 1877.

Honorable G. Wiley Wells.
U. S. Consul General.

Sir:

In obedience to your written instructions dated October 30th 1877. I have the honor to report, that I have carefully examined the books and documents in this Consulate General, and have obtained such information as I could from the Taotai's office, and beg leave respectfully to state:

1st I cannot find any angry correspondence between Mr. Braford, and the Taotai, during the period specified. Mr. Seward, as Consul General, and Dr. Yates, as Vice Consul General, were in charge during a considerable part of the time. and N. C. Feng, did not, as I am informed, assume office as Intendant until January 1875. The Records of the correspondence of this Consulate General are in a very imperfect state, and many

despatches.

despatches appear to be wanting, and I cannot find in the correspondence, or from the officials in the Taotai's office, any evidence that any such quarrel took place In his "Special" despatch to the State Department, (see Mr. Bradfords press copy book page 73) "My correspondence with Ting, Taotai on this subject, is published in our Commercial Correspondence for 1876." but this appears to have been a mistake on the part of Mr. Bradford, as nothing from him appears in that volume.

2nd " I find that Mr. Bradford himself expressly avows, in his "Special" despatch to the Department of State. "I first moved in the matter of starting the first railroad in China, and was then in charge of this office." This is corroborated by a great mass of correspondence, on the subject of railroads, call of original meeting. Minutes of subsequent meetings, reports of surveys &c. in Mr. Bradfords own handwriting. "Notes on Railroads," also in his handwriting. Chinese (printed) translations of the same &c. found among the

the papers, in the office safe.-
That he was interested as stockholder
of the said "Woosung Road Company", is
also admitted in the "Special" despatch
already refered to. (see Mr. Bradfords"
press copy book page 75) "I, at a meeting
" when some funds were required, became
" security therefor, and having to make good
" my portion thereof. I had allotted to-
" me, a proportionate share of the Concern
" on its being handed over to the "London
" Company". He also admits that; "In-
" 1873 and 1874. I purchased some land
" near Woosung, as an investment". See
" Special" despatch to State Department.
(and press copy book page 75.).
3rd That if, as appears from the foregoing
statements, Mr. Bradford was one of the
prime movers, and stockholders, in the
"Woosung Roadway", so called, then he,
as one of them, is responsible for what
you style the "underhand and unprincipled
" manner, in which the possession of the
" land, connected with said railroad, was
" obtained".

4th

4th. That assuming that Mr. Bradford was a stockholder in said "Woosung Road Company" it appears evident that he used his official position, and the Consulate General, for his personal benefit, and aggrandisement. "This is shown by the minutes and repots above refered to, and by numerous despatches addressed to the Chinese officials, still remaining on record in this Consulate General. and particularly in one instance by a despatch herewith enclosed, found among Mr. Bradford's papers: Numbered 6064. and dated 18th July, 1873, in which he officially addresses the Taotai, requesting him to issue orders to certain landowners, to sell to him, the Vice Consul General, a certain piece of land, near the Woosung road. which he, the Vice Consul General. wished to purchase, and by the Taotai's reply to the same, dated 10th August. 1873.—

5th That, "the aforesaid railroad was built without the Consent of the Emperor of China, or any of his Agents", is positively

positively asserted by Ting, Taotai in his despatches to Mr. Medhurst, H.B.M.s Consul, and to the U.S. Vice Consul General, see translation contained in pamphlet by "Justum". entitled "England & China" "London 1877." - page 19. - U.S. Consul General Myers in "Commercial Relations" for 1876. page 229. says. "The territorial rights of the Chinese Government, are deemed to " have been disregarded." Mr. Seward U.S. Minister at Peking, is represented as saying. " I believe it to be true, that " the purpose of the purchase of the land " on which the Woosung Railway is now " being constructed, was generally " understood at the time, when the purchase " was made, or soon thereafter. The purpose " was not however, as I believe, declared " formally in any of the letters which " passed with the Authorities, and pains " were taken, not to defeat the object, by " drawing attention to it unnecessarily." (See Mr. Bradford's press copy book pages 29 and 30.) A careful perusal of all the correspondence in Chinese, and in English

to

to which I have had access, has led me, thoroughly to the Conviction, that the Concealment had been practiced to which Mr. Seward refers, and which is referred to by Ting, Taotai, in his despatch already referred to (see pamphlet
3/ "England & China" pp. 18 & 19.) and by adding the words "and British subjects", to the sentence beginning "The ground was purchased in the first instance by American Citizens", the account given
4/ on pp. 112 & 113, as far as the words "memorable protest" of the same pamphlet, is fully borne out by the documents in Chinese and English, on record in this Consulate General, as also the statement
5/ Contained on pp. 104. 105. & 106. of the same pamphlet:- Mr. Wade H.B.M.s Minister at Peking, in his despatch to W.H. Medhurst Esq. H.B.M.s Consul at Shanghai, dated Peking, February 23rd 1875. (see copy marked
6/ "Strictly Confidential") says, "I am not assuming the motive of the attack you report, to be the hostility of the people, or their authorities, to the railway scheme

" scheme. Your report gives a very
" sufficient explanation of the riot, but
" when you ask for instructions as to the
" "definite policy" to be hereafter pursued,
" I take it for granted that hostility of
" the kind, more particularly on the part
" of the Authorities, is your root ahead.
" The Authorities however, will hardly
" venture to take action themselves, without
" first appealing to you". He further says,
" I regard the acquisition of the land
" destined for a railway between Shanghai
" and Woosung, if it should have been
" acquired "at the rates prevailing among
" the people, equitably and without
" exaction on either side", as a Treaty
" right, and I contend that its
" employment, for the construction of
" a tramway, or railway, in no way
" contravenes the Treaty."-

Dr. Yates the late interpreter at this Consulate General, is quoted (Mr. Bradford's copy book, page 43) as saying, "I have
" heard the officials say that they thought
" it was to be a horse road". - This was
undoubtedly,

undoubtedly what was represented to the Chinese Officials, by Mr. Bradford, as U.S. Vice Consul General, as his despatches on record, and the replies of the Chinese Taotai Shin clearly show.- Dr. Yates is further quoted as saying.- "I was with Mr. Seward, as interpreter, at an interview with the present Fêng, Taotai when the "Sample railroad", was the subject of conversation, and the Taotai, not only did not protest against it but spoke favorably of it.-" Mr. Kreyer Fêngs, interpreter, testifies that he was present at a conversation between Mr. Seward, and N.C. Fêng, and that Fêng was not, at the time, Taotai at Shanghai, but simply Superintendant of the Arsenal, and if this be so, as it appears to be, from the records in this Consulate General, N.C. Fêng had no jurisdiction or responsibility in the matter Moreover, Mr. Kreyer, positively testifies
7/ that N.C. Fêng did object and demonstrate
"see his statement enclosed, and also the
8/ "pamphlet, "England & China" pp. 112. & 113."

the

the statements, there being fully borne out, in my opinion, by the Correspondence on record in this Consulate General.-

'6th With reference to the "Seward Road": Having been absent from Shanghai for more than four years, I knew nothing of it, until my return in May last. I found, that several communications had passed between the U.S. Vice Consul General, and Fêng Taotai, on the subject.- Mr. Bradford spoke, to me, in strongly condemnatory terms of the refusal of Fêng, Taotai, to further the scheme.- From what I have since heard from Mr. Bradford and Dr. Yates, and from the records of the Consulate General. I learned that the Chinese landholders had petitioned and remonstrated against being compelled to sell their land, in the line of that road, and, that the unwillingness of Fêng, Taotai, and of his "locum tenens" the present Lin, Taotai, proceeded from this cause, and learning from the same sources, that the late

interpreter

interpreter Dr. Yates, had paid out Seventeen hundred Taels ($1700.-) or some such sum, in purchasing from the Chinese owners, the land lying in the line of the "Seward Road", and, that threats had been sent, by the late Interpreter Dr. Yates, since you took Charge of this Consulate General, to the landowners, who still refused to sell, that if, they persisted in their refusal, they would be compelled to repay all the money, that had been paid out, to others, viz: The Taels Seventeen Hundred ($1700.) more or less. These things, Coupled with the fact that Mr. Bradford has acknowledged to you, that he owns land on the line of the "Seward Road", leave, it appears to me, no other way of accounting, for his zeal in the matter, than that, "he had a financial end to subserve".

7th With reference to your last question I have the honor to report, that I have been able to find nothing written by Mr. Bradford, contained in the Correspondence

Correspondence," denouncing the Taotai for protesting: nor have I been able to find, upon inquiry from the Chinese officials, anything to prove the existence of such denunciations, in writing by Mr. Bradford.

In perusing this painful investigation I have endeavored to act without any other consideration, than duty, and I regret that the numerous and multifarious duties that have devolved upon me, and the consequent distracting interruptions, to which I have been subject, joined to a feeble state of health, have prevented me from putting this report in a more satisfactory form, and style: All of which is respectfully submitted by,

Sir,

Your obedient Servant,

D. Bethune McCartee

— Interpreter. —

Ex. No. 13.

Enclosure No 14

Statement of

Capt. G. W. Andrews

Statement Captain G. W. Andrews.
Comd'g Steamer "Haisang"

States that, in the year 1891 or 1892. Mr. C. P. Blethen informed me that a large quantity of land could be bought, and that a road was to be opened through it, called the "Seward Road". And wished me to go in with him, and others, and purchase the entire tract, and then subdivide it among those interested - There was in the tract about 60 now, or, thereabouts, Mr. Blethen informed me that there was no question as to the Seward Road being put through, as Mr. Seward and Mr. Bradford were in favor of it, and had all the arrangements made, and wished me to contribute a space 60 feet wide across such portion of land, as should be set off to me - This land was purchased, and I received by deed about 7 now, for my share. for which I paid and received Deeds therefor from Mr. Blethen. I Consented to the giving of a right of way of 60. feet. After the lapse of some time I found the land was not worth what, I anticipated on my investment on account of the Seward Road not being extended. I waited upon Mr. Seward, and he informed me he was doing all he could, to put through, the road. but, there were many obstacles put in the way. I purchased the land as a purely private transaction, Knowing that if the Seward Road was extended, I would realize from my investment: This was the inducement held out to me at the time of my purchase. After the failure to extend the Seward Road, through this property, I complained to Mr. Blethen and said to him, that it was not going to be as profitable an investment as had been represented. Besides it cost me more per

now

more, than he had paid for it by some $25. —
He said he had added this sum to cover and defray
expenses attending the enterprise. but that if I was
dissatisfied with my investment, he would do as he
originally agreed, when he induced me to join in
the purchase of this property, namely. take from
me my portion, and pay me 10% on my investment.
believing the Seward Road to be a failure, I agreed to
this, and Mr. Bletten took from me my portion
paying me the money I had advanced and 10%
in addition thereto. —

G. W. Saunders

Master S. S. "Hae San"

Baldwin Locomotive Works.

Burnham, Parry, Williams & Co.

Philadelphia, June 9th, 1873.

UNITED STATES CONSULATE
Matthias Baldwin
Charles T. Parry
Edmund H. Williams
William P. Henszey
Charles Longstreth
John H. Converse.

O. B. Bradford, Esq.,

Shanghai, China.

Dear Sir; We have received your favor of the 23rd of April, in which you are good enough to invite our attention to the purchase of a franchise from the Government to construct a narrow gauge railroad and the partial construction of the road, in conformity therewith, to which you have alluded in your previous communication, and we beg that you will receive our thanks for the interesting information to us.

It is no more than natural that we, as well as many others in this country, should feel a very strong interest in the building of a railroad in China, modelled after our own first attempts in that direction, and yet we hardly think that our people could be made to interest themselves in the enterprise as a money investment. Our own capital is so fully employed in carrying out the legitimate purposes of our manufacturing business that we do not see our way clear to the investing of any portion of it so far away from home. To say truth, railroad construction even

Baldwin Locomotive Works.

Burnham, Parry, Williams & Co.

George Burnham.
Charles T. Parry.
Edward H. Williams.
William P. Henszey.
Edward Longstreth.
John H. Converse.

Philadelphia, 187.

with us is now at a standstill owing more especially to the fact that it is next to impossible to secure the sale of their securities abroad, and it is necessary to ensure a good market for the bonds before proceeding to prosecute work on the road.

We hope, however, that your scheme may prove a success in every respect, even without the able intervention of American capital, and we shall be much pleased to hear from it again in a somewhat advanced state.

Yours very truly,

Burnham, Parry, Williams & Co.

Enclosure No. 16

Extract of North China Daily News

21st November 1877

- Extract from North China Daily News. -
- November. 21st 1877. -

Still, even if the intelligence and enterprise necessary to make roads be lacking, one might have conceived an intermediate stage between civilisation and its antipode, when people would appreciate having roads made for them. And to do the mass of the Chinese people justice, we believe they have attained to that measure of intellectual capacity. It is the so-called educated classes, the men who have had their intellects stunted by the study of the Classics, who fall below the standard. The Chinese people liked the Woosung railroad, were glad to travel on it, and interested in watching it; it was only high mandarins like Shên Pao-chên who viewed it with dislike, because it comported not with the ways of old. Truly, such a man is to be pitied; it is not his fault; he might have made an intelligent governor if he had been differently educated; but it was his misfortune to be born under a system which demands education in the principles of retrogression, as an essential of office; and behold the result! A quarter of million of taels wasted; a safe and rapid means of communication destroyed, and the people compelled to fall back upon the old slow means of progression; with the result that more lives are lost by the upsetting of a passenger boat within a week after the closure of the line, than would have been lost in a quarter of a century on the ordinary average of railway accidents.

But Shên Pao-chên's horror of roads does not end with railways. He is equally opposed to carriage roads. Foreigners are willing to extend the roads which they have already made into the country, from Shanghai; but instead of welcoming an enterprise which would improve the means of access from the country to the city, Shên Pao-chên emphatically opposes the project. The treaties say that foreigners are entitled to lease land "for the purpose of building dwelling-houses, constructing churches, erecting godowns, laying out cemeteries and the like; but there is no plain clause to the effect that land may be leased for the purpose of making a horse-road. Moreover, there are already at Shanghai horse-roads enough for purposes of pleasure; and as the authorities have already gone out of their way to comply with the wishes of foreigners in this respect, it is quite out of the question that they can be permitted to make another horse-road to the detriment of the existing roads (!) and the cultivation of the land." The Taotai is, therefore, again ordered to stop the project, as the Viceroy "cannot believe that the Council will, for so small a matter as purposes of pleasure, again force the Chinese authorities into a serious difficulty." Shades of stagnation! where is the difficulty, except of the mandarins' own creation? The people are perfectly willing to sell their land; and all that foreigners ask of the officials is to refrain from opposing the purchase. We believe we are right in saying that the whole of the necessary land for the extension of Markham road to Jessfield has been successfully negociated for; and that nothing but the prohibition of the mandarins prevents its immediate transfer to the Council. The only difficulty is of Shên Pao-chên's own creation; and his conscientious antipathy to increasing by one foot the width of roads to which people have been accustomed for centuries, is truly deserving of respect. If the people themselves are so ill-educated as to be willing their footpaths should be improved on, it is for their rulers to preserve them from the consequences of their ignorance. All glory to Shên Pao-chên! What province, we wonder, does he belong to? The birth-place of such a man should be known to the world.

Cu. No 14.-

Enclosure No 17

Statement of Mr. Hen. Sybal

Chief Clerk of the

Mitsu Bishi M. S. S. Co.

Shanghai, 5th November 1877

S. Wiley Wells. Esqr.
United States Consul General.
Shanghai.

Sir.

I am in receipt of your dispatch No. 10548, in which you request me to give you a full statement of the facts connected with the transaction referred to in my letter to J.C. Meyers Esqr, Consul General, dated Shanghai April 30th 1877. and to forward the same to you. In response thereto I have the honor to submit the following account of the affair.

Sometime in the month of August 1872 I arrived in Shanghai as Purser on board the Pacific Mail Steamer and had the United States Mails, consisting of some fourteen Canvas and one leather bag, under my charge, so soon as the steamer anchored in the stream, I was ready to proceed on shore, but it suddenly commenced to rain very hard and under the circumstances I considered it very unwise to leave the Steamer in an open boat, as the

Mails

Mails would have been unfit to handle, after being exposed to the very heavy rain shower coming down that day. I therefore waited until the steamer had hauled alongside the Pontoon, and as soon after as practicable, delivered the Mails to Mr. Phoenix, the U. S. Marshal. A few days afterwards, I had occasion to go to the Consulate to clear the steamer, Mr. O. B. Bradford, at that time, acting U. S. Consul General called me in to his office and said, "Mr. Sylva, when, in your opinion, do you think the U. S. Mails should be delivered after the arrival of the steamer." I answered, as promptly as possible after the arrival of a steamer, Mr. Bradford said, he thought so, but on this occasion he had not received the Mails, until an hour, or an hour and a half, after the steamer had arrived, I replied, that I had a very good reason for it, you will please remember, that it was raining very hard and I did not think it adviseable to bring the canvas bags on shore through the heavy rain, as the contents would certainly have been damaged.

Thereupon Mr. Bradford became

enraged

enraged and insulting in his remarks, snapping his fingers in my face, stamping his foot upon the floor, and said, he would not give five Cents for a man who was afraid to get his jacket wet in delivering the Mails. I replied in a gentlemanly manner, I came to your office on business, and not to be insulted, I give you my reasons why the Mails were delayed and I do not desire to have you imagine, I have told you a falsehood." Mr. Bradford became more enraged and forgetting the common politeness due from one gentleman to another, grossly insulted me, and ordered the U. S. Marshal, Mr. Phoenix, to eject me from the building, I replied, that I came into the Consulate on business, without any assistance from him and with all due difference to the order he had just given to the Marshal and the position Mr. Bradford held, I thought I could leave the building without any forcible aid from the Marshal.

Trusting the above particulars will cover the information desired

I.

I have the honor to be
Sir
Your obedient servant
Henry Sylva

I have carefully read the above statement and can fully corroborate the facts therein stated -

Richard Phoenix.

Despatch Paper - every other page

Enclosure No. 18

Statement

of

A. F. Friend

Capt A. T. Friend being sworn deposes and says, that sometime in the year 1873. I came to the United States Consulate General Post Office for the purpose of mailing certain mail matter to be carried to the United States. Mr. O. B. Bradford was, then U. S. Vice Consul General and Deputy postal Agent. After I had mailed my letter and papers. Mr. Bradford took the newspaper which I had deposited, and proceeded to tear off the wrapper. which enclosed said newspaper and to proceded to unfold the newspaper, & had enclosed a small Chinese gold ring in said newspaper. with a view of sending it to a friend, as a remembrance or memento. not thinking or believing that I was committing any violation of the postal laws or regulations by so doing. When Mr. Bradford discovered the ring he seized it, and holding it up in his hand, accused me of defrauding the U. S. Government. This I denied, and remonstrated with him for tearing off the wrapper to the newspaper. some strong language passed between us. Which Ended by Mr. Bradford ordering me out of the United States Postoffice and Consular building. which order I obeyed. from that

time, a year afterwards, he sought every
opportunity and every means in his pow
as an officer, to make it unpleasant
for me to transact business with the
U. S. Consulate, and persecuted me wh
an opportunity offered. It was his cus
and habit to accept the ship's pape
when sent to the Consulate, from the ha
of a Junior Officer, after the difficu
had occurred, before mentioned. I sent t
ship's papers as had been my custom here
when Mr. Bradford declined to receive the
and sent back word by the officer, "tha
I wanted my ship entered, that I must
come and attend to it myself. and th
enforced me, to come to the Consulate
in person to transact such business, w
he allowed other Masters, to transact t
same business through their Junior Off
and when I did call at the Consulate
transact business, Mr. Bradford took
upon himself, when other persons we
present requiring attention, to compel m
to wait his pleasure, and until he ha
finished the business of all the other persons
whether they had arrived after myse
or not.

Sworn and subscribed to
before me this 3rd day of November
1870.

D. Wilson Wallis
U. S. Consul General

Enclosure No 19

Mr. Coffeys.

Report to

Hon. G. Wiley Wells

Copy.

United States Consulate General,
Shanghai, October 1st 1874

J. A. Coffey Esq,
Shipping Clerk & Cashier,
U.S. Consulate General,

Sir,

I have the honor to request, that you will examine the Enclosures, Marked Nos 1 & 2. No 1, being a Statement written out and forwarded by Mr O.B. Bradford to the Department of State, setting forth certain facts, said to have been stated by you to him, and upon which he partly relies for his Vindication from certain Charges preferred against him by Mr. J.C Myers, late Consul General, No 2. is a Protest, dated April 25th 1874, signed by Yourself, Mr Hendrick, Consular Clerk, and Mr Phoenix, U.S. Marshal, addressed to J.C. Myers and forwarded to the Department of State, in which you repudiate said Statement, and declare "That any report that he Mr Bradford

" Bradford, may make to the Depart-
" ment as to these Conversations we
" disavow, as irregular, unfair, and
" unjust &c"

I have the Honor to request that you will make a full report, as to whether the Statement forwarded by Mr. O. P. Bradford is true, or false, If false, State wherein, and State all facts and Circumstances connected therewith, Also State all facts within your knowledge, relating to the Charges preferred by Mr. Meyers against Mr. Bradford herewith enclosed,

Yours Respectfully,
G. Wiley Wells,
Consul General.

Enc. No. 15.

United States Consulate General,
Shanghai October 8th 77.

Hon. G. Wiley Wells.
U. S. Consul General,
Shanghai.

Sir,

I have the honor to acknowledge the receipt of your dispatch with enclosures, marked No 1, and 2, No 1 "being a "Statement written "out and forwarded by Mr O B Bradford "to the Department of State, setting forth "certain facts said to have been stated by "me to Mr. O. B. Bradford, and upon which "he partly relies for his Vindication from Charges "preferred against him by John C Meyers Esq, late Consul General,"
No. 2, being a "Protest" dated Shanghai, April 25th 77, Signed by the late "Mr Hendrick, Consular Clerk, Mr. Phoenix, U.S. Marshal, and myself, in which we repudiate said Statements and declare "That any report that he, Mr. Bradford, may "make to the Department, as to these "Conversations, we disavow as irregular, "unfair, and unjust &c &c,"

In accordance with request requiring

requiring a full explanation of how the foregoing originated, how much is true, & and how much false?, I have the honor to submit, as desired, this statement in detail,

On or about the 17th day of April, I came from lunch, and was on the point of entering my office, when Mr. Bradford suddenly called me, and said, Mr Offley, I presume you are aware that Mr. Myers has made certain charges against me to the Department of State, I replied that I had heard that charges had been preferred against him by Mr Myers, Mr Bradford then asked me if I had ever heard him applying any disrespectful language to Mr. Myers, I said Yes, on several occasions, Mr B.—have you ever heard me call him "Thingumbob?" C, I have Sir, Mr B when?—in the Post Office, when we were distributing the U.S. Mails, Mr B.—& have you—of your own knowledge, or do you know of any particular cases, wherein I insulted, or was discourteous to Gentlemen who might have applied to me on business, C, Yes—I can produce a few gentlemen now

now in Shanghai, who have stated to me, and in some cases, I am personally aware that they had been insulted by you in this building, and many more, treated in the same manner, long before I came into this Consulate as a clerk,

Mr. B. said, he regrets very much to hear me make such a statement, he always understood that his reputation as a gentleman, in Shanghai, and elsewhere, was above reproach, I replied, that, what I had just informed him was the truth! and with very little trouble to myself, could prove my assertions,

Mr. B said, Well since you know so much, what have you to say in regard to my books, or rather the books of the Consulate, I replied, Mr. Bradford I have nothing to say to you, about your books, I have never had occasion to refer to them but once, and that was the Ledger,

Mr. B. said - will the books have laid on my desk during office hours and you (I were always privileged to examine them if necessary, I replied - Yes sir, I presume if I had asked your permission I could

could have had access to your books,
- Mr. B— Mr Myers has accused me of using disrespectful language against American Missionaries, what have you to say in relation to that Charge,?
I then asked Mr. Bradford what was the object of this Cross-examination? He replied, that, he hoped I would make a statement, and inform the Department (through him) how much truth, and how much Mr Myers was mistaken in the Charges preferred against me (him), I replied distinctly, that I declined to make any statement, that I would not, under any circumstances affix my name to any document, that I had purposely kept aloof from the commencement, to the present time, from being connected in any way with the quarrel,
Mr Bradford then intimated, that he could, if he so desired, discharge me at any moment, I replied, that I had never forgotten that he possessed that privilege, but he would allow me to remind him, that I could retire from my position in this Consulate, when it suited me, and

So

so far as that subject was concerned we were quits,

The above is about all that was said by me, I went into my office to transact business, I was somewhat surprised to hear, some few days after the above occurrence, from Mr. Hendrick, and Mr. Phoenix, that documents had been transmitted to the State Department, by, and in the interest of Mr. Bradford, and that my name was used as purporting to have made to him (Bradford) a statement, when I distinctly refused, and he admits as much himself. In view of the above circumstances, I signed the "Protest" and had the same forwarded in justice to myself. You will perceive that the statement of Mr. Bradford transmits to the Department, and the account I now render you of the affair, is hard to reconcile, for instance, he has omitted to mention that I have known him to insult parties calling upon him to transact public business, I have heard him use insulting remarks about Mr. Myers, and he made it a special study to poison the minds of Americans in

in genral against Mr M,

I have known him to alter the rough dispatches of Mr M, when in my opinion, there was not the slightest occasion for any interference on Br part,

His especial forte was to reprimand, or insult the Clerks of this Consulate, when occasion offerd, but generally in the presence of Strangers, He has allowed the Press Copy books of this office to be examined by his friends, when they requested to know "how the fight was going on", and took the great precaution to conceal or lock up all dispatches received from the Department that had any bearing upon the "disagreement" between Mr Myers, and Himself,

I have known him to have opened sealed letters addressed to Mr Hendrick, twice, I am under the impression that Mr Hendrick made a formal complaint of the crime to Mr Myers,

When I entered upon my duties in this Consulate General, in June 76, I had charge of a "rough" book or a "blotter" formerly used by a Carpenter, and Tinsmith, as the items entered will show

Show. &c. "Brass Shop"

" 2 Carpenters @ .70¢ 1,40 } " 2,60 "
" 3 oft Oregon pine @ .40¢ 120, }

The book is 2/3rd full of just such entries, and the remainder made up, to complete the book, of items connected with this Consulate General, in my handwriting,

I am at present, using a book, given to me by Wm. Bradford, which shows the daily transactions &c of an "Arms & Manufacturing Co", so many Muskets, bought and sold, shot, shell, powder &c &c on hand, I am at a loss to find a reason for books of this nature to stray into a government building, they may have been the books of a defunct firm, of which Mr Bradford was silent partner, or might have been purchased at auction, as Economy is one of his ruling passions (in the wrong direction) as you will discover as you proceed in your investigation.

The books furnished by the Department, have been so carefully kept (out of sight) that unless I am very much

much mistaken, you will not be surprised to learn how easy it is for a Consular Clerk at an average salary of $1,200 pr Year, to own several shares in the Wooseung Rail Road, valuable land in all portions of this Settlement, an authority on all contemplated improvements where a Mexican may be turned to the proper side of a/c, and at the same time give you a clue to his inveterate hatred of the Tau Tai, and other Chinese officials, who have stood between him, and his pet scheme, the "Opening of the Seward Road"

There is a mine of wealth in that "Opening", and I have no doubt, your good offices will be solicited in its aid by

O B Bradford Esq,

His peculiar system of book keeping will not astonish you, but it will be apparent, how rapidly wealth may be acquired where a government official like Mr Bradford, has the necessary ability, and where a Consulate General, transacts a good cash business,

I have endeavored to give you an account

account of Mr. Bradford's general character, I have not said that he is a thief, but I assert, you will not find his Books correct upon an examination, that he has failed, on more than one occasion to report fees to the government, and appropriated the same for his own use and benefit; He has been a Consular Official for some 13 years, and the United States Government will regret, that his good qualities as a Book Keeper have not been discovered ere this.

Trusting the foregoing will be, to you, a satisfactory explanation of my supposed "Statement" to Mr. Bradford,

I have the honor to be,
Your obedient servant,
D. D. Coffey

Enclosure No 20

Indictment No 83

United States

vs

Oliver B. Bradford

Copy of Indictment.

United States Vs. O. B. Bradford

In the Court of the United States
Consulate General
At Shanghai, China

UNITED STATES V. OLIVER B. BRADFORD.

Before the subscriber a United States Consul-General within and for the Empire of China, Acting Judicially, personally appeared J. J. Coffey who, being by me duly sworn, deposes and says that between the first day of January, 1876, and 13th day of September, 1877, Oliver B. Bradford being then and there an Officer of the United States of America charged with the safe keeping transfer and disbursements of the Public Moneys of the said United States of America to wit—Consular Clerk of the United States, Clerk of the Court for the Consulate General, at Shanghai, Deputy Consul General, Vice Consul General and Acting Consul General did then and there receive a large sum of money, to wit the sum of Two thousand dollars ($2000) the said sum of money being then and there the money and property of the aforesaid United States of America, and having then and there come to the hands of the aforesaid O. B. Bradford by reason and by virtue of his the said O. B. Bradford's offices as aforesaid and the said O. B. Bradford did then and there wickedly unlawfully and feloniously convert to his own use, and did then and there embezzle the aforesaid sum of money belonging as aforesaid to wit, the sum of Two thousand Dollars contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

2nd.—That the aforesaid O. B. Bradford was, on the 28th day of January 1876 an officer of the U. S. of A. and was then and there an officer entrusted with the safe keeping, transfers and disbursements, of the public moneys of the U. S. of America, that should then and there come to his hands, by reason and by virtue of his offices as aforesaid and did then and there receive a large sum of public money, for the use and benefit of the said U. S. the amount or sum so received as aforesaid being to this disponent unknown. That the said O. B. Bradford did, then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of America as aforesaid take a large sum of money to wit; the sum of One hundred dollars and did then and there unlawfully, wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $100—belonging as aforesaid to the U. S. of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U. S. of America.

3rd.—That the aforesaid O. B. Bradford was, on the 27th day of February A.D. 1876 at Shanghai China an officer of the U. S. of America charged with the safe keeping transfer and disbursement of the public moneys of the U. S. of America and that by reason and by virtue of his offices as aforesaid he the said O. B. Bradford did then and there receive a large sum of public money belonging to the U. S of America and did then and there take out of and from the said public monies belonging as aforesaid to the United States of America, and did then and there unlawfully convert to his own use a large sum of money to wit the sum of $150, and did then and there wickedly and feloniously embezzle the aforesaid sum of $150 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United State of America.

4th.—That the aforesaid O. B. Bradford was on the 16th day of March 1876 an officer of the United State of America, and was then and there an officer entrusted with the safe keeping, transfers and disbursements of the public monies of the United State of America that should then and there come to his hands by reason and by virtue of his office as aforesaid, and did then and there receive a large sum of public money, for the use and benefit of the said United States of America, the amount or sum so received as aforesaid, being to this deponent unknown. That the said O. B. Bradford did then and there out and from the aforesaid sum of public money so received for the use and benefit of the United States of America as aforesaid take a large sum of money to wit $80, and did then and there unlawfully wickedly and feloniously convert the same to his own use, and did, then and there embezzle the aforesaid sum of $80 belonging as aforesaid to the United States of America contrary to the form of the states in such case made and provided, and against the peace and dignity of the United States of America.

5th.—That the aforesaid O. B. Bradford was on the 28th day of April 1876 an officer of the United States of America, and was then and there, etc.. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the United States of America as aforesaid take a large sum of money to wit the sum of $50 and did then and there unlawfully, wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $50 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

6th.—That the aforesaid O. B. Bradford was on the 3rd day of May 1876, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and benefit of the United States of America as aforesaid take a large sum of money to wit the sum of $125, and did then and there unlawfully, wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $125 belonging as aforesaid to the U.S. of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U.S. of America.

7th.—That the said O.B. Bradford on the 26th July 1876, was an officer of the U.S. of A. and was then and there an officer entrusted with the safe keeping transfer and disbursements of the public monies of the U.S. of A. that should then and there come to his hands by reason and by virtue of his office as aforesaid and did then and there receive a large sum of public money for the use and benefit of the said U.S. of A. the amount or sum so received as aforesaid being to this deponent unknown.

That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U.S. of A as aforesaid take a large sum of money to wit the sum of $50 and did then and there unlawfully wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $50 belonging as aforesaid to the U.S. of A. contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

8th.—That the said O. B. radford on the 23rd August 1876, was an officer of the U.S. of A. and was then and there an officer entrusted with the safe keeping transfer and disbursements of the public monies of the U. S. of A. that should then and there come to his hands by reason and by virtue of his office as aforesaid and did then and there receive a large sum of public money for the use and benefit of the said U.S. of A. the amount or sum so received as aforesaid being to this deponent unknown. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U.S. of A. as aforesaid take a large sum of money to wit the sum of $83.50, and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $83.50 belonging as aforesaid to the U.S. of A. contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U.S. of A.

9th.—That the aforesaid O. B. Bradford was on the 26th day of September 1876, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money, so received for the use and benefit of the U.S. of America, as aforesaid, take a large sum of money to wit $300, and did then and there unlawfully wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $300, belonging as aforesaid to the U. S. of A. contrary to the form of the Statutes in such case, made and provided and against the peace and dignity of the U. S. of America.

10th.—That the aforesaid O. B. Bradford was, on the 18th day of October 1876 an officer of the U. S. of America and was then and there an officer entrusted with the safe keeping transfers and disbursements of the public moneys of the U. S. of America that should then and there come to his hands by reason and by virtue of his office, as aforesaid and did then and there receive a large sum of public money, for the use and benefit of the said U. S. of America the amount or sum so received as aforesaid, being to this deponent unknown. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and benefit of the United States of America, as aforesaid, take a large sum of money to wit $75 and did then and there unlawfully, wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $75 belonging as aforesaid, to the U. S. of America contrary to the form of the statutes, in such case made and provided and against the peace and dignity of the U. S. of America.

11th.—That the aforesaid O. B. Bradford was on the 28th day of November 1876 an officer of the United States of America and was then and

there an officer entrusted with the safe keeping transfers and disbursements of the public moneys of the United States of America that should then and there come to his hands by reason and by virtue of his office, as aforesaid and did then and there receive a large sum of public money, for the use and benefit of the United States of America, the amount or sum so received as aforesaid, being to this deponent unknown. That the said O. B. Bradford did, then, and there out of and from the aforesaid sum of public money, so received for the use and benefit of the United States of America as aforesaid, take a large sum of money to wit $10 and did then and there unlawfully, wickrdly and feloniously convert the same to his own use, and did, then, and there embezzle the aforesaid sum of $10 belonging as aforesaid to the United States of America contrary to the form of the statutes, in such case made and provided, and against the peace and dignity of the United States of America.

12th.—That the aforesaid O. B. Bradford was on the 28th day of December, 1876, etc. That the said O B. Bradford did then and there out of and from the aforesaid sum of public money, so received for the use and benefit of the United States of America, as aforesaid, take a large sum of money, to wit $36, and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $36, belonging as aforesaid to the United States of America, contrary to the form of the Statutes, in such case made and provided, and against the peace and dignity of the United States of America.

13th.—That the aforesaid O. B. Bradford was on the 30th day of January 1877 an Officer of the U. S. of A and was then and there an officer entrusted with the safe keeping transfers and disbursements of the public moneys of the U. S. of A., that should then and there come to his hands, by reason and by virtue of his office, as aforesaid, and did then and there receive a large sum of public money for the use and benefit of the U.S. of A., the amount of sum so received as aforesaid being to this deponent unknown. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money, so received for the use and benefit of the U. S. of A., as aforesaid take a large sum of money, to wit $91.50, and did then and there unlawfully, wickedly, and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $91.50, belonging as aforesaid to the U. S. of A. contrary to the form of the statutes, in such case made and provided and against the peace and dignity of the U. S. of A.

14th.—That the aforesaid O. B. Bradford was on the 26th day of February, 1877, &c. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money, so received for the use and benefit of the U. S. of A., as aforesaid, take a large sum of money to wit $63.20 and did then and there unlawfully, wickedly, and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $63.20 belonging as aforesaid to the U. S. of A., contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U. S. of A.

15th.—That the aforesaid O. B. Bradford was on the 24th day of March, 1877, &c. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of A. as aforesaid take a large sum of money to wit the sum of $78.42 and did then and there unlawfully, wickedly, and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $78.42 be onging as aforesaid to the U. S. of A , contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U. S. of A.

16th.—That the aforesaid O B. Bradford was on the 30th day of April, 1877, &c. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of A. as aforesaid take a large sum of money to wit the sum of $300.39 and did then and there unlawfully wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $300.39 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

17th.—That the said O. B. Bradford on the 29th of May 1877, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the United States of America as aforesaid take a large sum of money to wit the the sum of $110.20, and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid said sum of $110.20 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided, and against the peace and dignity of the United States of America.

18th.—That the said O. B. Bradford on the 30th June, 1877, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of the public money so received for the use and the benefit of the United States of America as aforesaid take a large sum of public money to wit the sum of $183.40 and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $183.40 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

19th.—That the said O. B. Bradford on the 26th July, 1877, etc. That the said O. B Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of A. as aforesaid take a large sum of money to wit the sum of $34,01 and did then and there unlawfully wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $ 4,01 belonging as aforesaid to the U. S. A. contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U. S. of A.

20th.—That the said O. B. Bradford on the 28th of August, 1877, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of A. as aforesaid take a large sum of money to wit the sum of $205.30, and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $205.30 belonging as aforesaid to the U S. of A. contrary to the form of the statutes in such made and provided and against the peace and dignity of the U. S. of A.

21st.—That the said O. B. Bradford on the 12th of Sept. 1877, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the United states of America as aforesaid take a large sum of money to wit—the sum of $128.50 and did then and there unlawfully wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $128.50 belonging as aforesaid to the U. S. of A. contrary to the form of the statutes in such case made and provided, and against the peace and dignity of U. S. of A.

22nd.—That the said O. B. Bradford did, between the first day of January 1876 and 13th day of September 1877 at Shanghai China, he being then and there an officer of the U. S. of A. charged with the disbursement of the public moneys, did then and there receive and accept and transmit to the Treasury Department of the U. S. of A. certain quarterly account containing receipts and vouchers, the said receipts and vouchers having been received by the said O. B. Bradford by reason and virtue of his being such disbursing officer of the public moneys of the U. S. of A. the said receipts having been then and there received from various creditors of the United States of America with a view of having the same allowed to him, and in his favor as such disbursing officer, as aforesaid, and did then and there cause the same to be allowed, and did then and there by r ason as afor said convert to his own use of the moneys of the United States of America, the sum of $100, contrary to the form of the statutes in such case made and provided and against the peace and dignity of th United States of America

23rd.—That the said O B. Bradford was between the 1st day of January 1876 and the 1st day of October 1877 being then and there an officer of the United States of America to wit Clerk of the Court of the Consulate-General at Shanghai, China, and did then and there by virtue of and under color of his said office, extort from divers persons and individual residents of Shanghai, large sums of moneys to wit $1,000, contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

24th.—That between the 1st day of January A.D. 1876 and the 13th day of September A.D. 1877, O. B. Bradford aforesaid was then and there an officer of the United States of America to wit a Consular Officer. That as such Consular Officer aforesaid at Shanghai, China, he was then and there required to render true and just quarterly accounts and returns of the moneys received by him, for the use of the United States of America aforesaid and of the business transacted by him as such officer as aforesaid, on behalf and for the United States of America in and from the office of the United States Consulate-General at Shanghai, China, and did then and there wilfully execute and render false

and untrue quarterly accounts and returns to the Treasury Department of the United States of America, as aforesaid, of the moneys so received by him as aforesaid, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the United States of America.

25th.—That the said O. B. Bradford did on the 30th day of July, 1877, b ing then and there an officer of the United States of America, being then and there entrusted with the safe-keeping, transfer, and disbursements of the public monies of the United States of America, a certain sum of money, to wit a sum of $2,561.55, came to his hand by reason and by virtue of his office aforesaid, and that he did then and there deposit to his own private credit in the Comptoir d'Escompte de Paris, a bank in Shanghai, the aforesaid sum of $2,561.55, and that he did then a nd there embezzle the aforesaid sum of $2,561.55, contrary to the form of such statute made and provided, and against the peace and dignity of the United States of America.

J. J. COFFEY.

Sworn and subscribed to before me, this the second day of November A.D. 1877.

Sd. G. WILEY WELLS,
U. S. Consul-General.

Acting Judicially

Enclosure No 21

Transcript of
Consular Court Minutes
United States
Vs
Oliver B. Bradford

Court of the United States
Consulate General
Shanghai, 12th November 1877

No 83 Criminal

United States
vs
Oliver B. Bradford
} Embezzlement, Malfeasance in Office and various Offences

Mr Drummond appeared for the Prosecution on behalf of the United States.

Prisoner having been arraigned, Dr. McCartee, Clerk of the Court proceeded to read the Indictment which consisted of twenty-five counts.

Indictment having been read in the hearing of the prisoner the Court demanded of the prisoner to plead to the charges in said Indictment No. 83, after which prisoner pleaded:-
Guilty to each and every charge in each and every count, as alleged, in said Indictment, and said that he had statements to submit in mitigation of the offences alleged, which he wished to be referred to the Attorney General of the United States through the State Department.

The Court ordered the Plea of Guilty to be entered, and after considering the prayer of prisoner it was ordered:-
That sentence be, and is, hereby suspended until further order is made in his behalf by the Court, and that prisoner may enter into Bond payable to the United States of America in the sum of Ten Thousand Dollars ($10000) with two good and sufficient sureties, for a like sum- conditions that said O. B. Bradford shall be, and make his appearance when demanded by order of this Court.

Given under my hand, and the seal of the Consulate General this 12th day of November A. D. 1877

(Signed) G. Wiley Wells
U. S. Consul General
Acting Judicially

Court of the United States Consulate General
At Shanghai, China
23d November 1877.

I hereby certify that the foregoing is a true copy of the Court Minutes In Re No 83 - Criminal - United States Vs Oliver B. Bradford, as transcribed in the Consular Court Minutes of this Consulate General

Dated this 23d day of November A. D. 1877

Witness the Seal of this Consulate General

Frank S. Aylmer

Clerk of Consular Court

Enclosure No 22

Full Report of Proceedings

in the case of

O. B. Bradford

Published in

"Shanghai Courier and Gazette"

U.S. Versus. O. B. Bradford.

1.

UNITED STATES CONSULATE-GENERAL.

Shanghai, 12th Nov.

Before the Hon. G. W. WELLS, *Consul-General.*

UNITED STATES v. OLIVER B. BRADFORD.

Mr. DRUMMOND appeared to conduct the prosecution.

Embezzlement and Malfeasance in Office.

It will be remembered that, on the 22nd October last, prisoner, who for many years has occupied a high position in the United States Consulate-General, Shanghai, was convicted of a violation of the Postal Laws, and was sentenced to 20 days imprisonment and to pay a fine of $250 and the costs of the prosecution. His term of imprisonment expired two days ago, and he was now brought up under an indictment charging him with embezzlement, extortion, and malfeasance in office. No public announcement had been made of the trial being fixed for to-day, but rumours had been rife, and upwards of fifty persons assembled in the Court, and the greatest interest was evinced in the proceedings.

When the Court, was declared open,

Mr. DRUMMOND rose and said that he appeared to prosecute on behalf of the Government of the United States of America.

The COURT—Quite so. The indictment against the prisoner will first be read; the Clerk will now read it. (Addressing the prisoner.) This is simply an arraignment.

Prisoner—I understand.

Dr. MCCARTEE, who is acting Clerk of the Court, then proceeded to read the indictment. It occupied twenty-five sides of foolscap paper, and embraced twenty-five separate charges against the prisoner of embezzlement and general malfeasance in office. Each charge was set forth in the usual legal phraseology, the first of which ran as follows:—Before the subscriber, a United States Consul-General within and for the Empire of China, Acting Judicially, personally appeared J. J. Coffey, who, being by me duly sworn, deposes and says that between the 1st January, 1876, and the 13th September, 1877, Oliver B. Bradford being then and there an officer of the United States of America, charged with the safe keeping, transfer and disbursements of the public moneys of the said United States of America, to wit—Consular clerk of the United States, Clerk of the Court for the Consulate-General at Shanghai, Deputy Consul-General, Vice-Consul-General and acting Consul-General, did then and there receive a large sum of money, to wit, the sum of two thousand dollars ($2,000), the said sum of money being then and there the money and property of the aforesaid United States of America, and having then and there come to the hands of the aforesaid O. B. Bradford by reason and by virtue of his, the said O. B. Bradford's offices, as aforesaid, and the said O. B. Bradford did then and there wickedly, unlawfully, and feloniously convert to his own use, and did then and there embezzle the aforesaid sum of money, belonging as aforesaid, to wit, the sum of two thousand dollars, contrary to the form of the Statutes in such case made and provided, and against the peace and dignity of the United States of America." The next twenty counts were couched in similar terms, differing only in date and in the amount alleged to have been misappropriated. The second charge alleged that prisoner on the 28th January, 1876, received a large sum of public money for the use and benefit of the United States, the amount being unknown to the deponent, out of which he converted to his own use the sum of $100. The third count charged the prisoner with embezzling $150 on the 27th February, 1877; the fourth with embezzling $80 on the 16th March, 1876; the fifth with embezzling $50 on the 28th April, 1876; the sixth with embezzling $125 on the 23rd May, 1876; the seventh with embezzling $50 on the 26th July, 1876; the eighth with embezzling $83.50 on the 23rd August, 1876; the ninth with embezzling $300 on the 6th September, 1876; the tenth with embezzling $75 on the 13th October, 1876; the eleventh with embezzling $10 on the 28th November, 1876; the twelfth with embezzling $36 on the 28th December, 1876; the thirteenth with embezzling $91.50 on the 30th January, 1877; the fourteenth with embezzling $63.20 on the 26th February, 1877; the fifteenth with embezzling $73.42 on the 24th March, 1877; the sixteenth with embezzling $300.39 on the 30th April, 1877; the seventeenth with embezzling $110.20 on the 29th May, 1877; the eighteenth with embezzling $183.40 on the 30th June, 1877; the nineteenth with embezzling $34.01 on the 26th July, 1877; the twentieth with embezzling $205.30 on the 28th August, 1877; the twenty-first with embezzling $128.50 on the 12th September, 1877. The other four indictments were as follows:—Twenty-second—That the said O. B. Bradford, did, between the first day of January, 1876, and the thirteenth day of September, 1877, at Shanghai, China, he being then and there an officer of the United States of America, charged with the disbursement of the public moneys, did then and there receive and accept and transmit to the Treasury Department of the United States of America certain quarterly accounts containing receipts and vouchers, the said receipts and vouchers having been received by the said O. B. Bradford by reason and virtue of his being such disbursing officer of the public moneys of the United States of America, the said receipts having been then and there received from various creditors of the United States of America, with a view of having the same allowed to him, and in his favour as such disbursing officer, as aforesaid, and did then and there cause the same to be allowed, and did then and there by reason, as aforesaid, convert to his own use of the money of the United States of America, the sum of $100 contrary to the form of the Statutes in such case made and provided, and against the peace and dignity of the United States of America. Twenty-third—That the said O. B. Bradford was, between the first day of January, 1876, and the first day of October, 1877, being then and there an officer of the United States of America, to wit, clerk of the Court of the Consulate-General at Shanghai, China, did then and there by virtue of and under color of his said office extort from divers persons and individual residents of Shanghai, large sums of money, to wit, 1,000 dollars, contrary to the form of the Statutes in such case made and provided, and against the peace and dignity of the United States of America. Twenty-fourth—That the said O. B. Bradford did on the 30th day of July, 1877, being then and there an officer of the United States of America, and being then and there an officer entrusted with the safe-keeping, transfer and disbursements of the public moneys of the United States of America, a certain sum of money, to wit, the sum of two thousand five hundred and sixty-one dollars and fifty-five cents ($2,561.55) came to his hand by reason and by virtue of his office aforesaid, and that he did then and there deposit to his own private credit in the Comptoir D'Escomte de Paris, a bank in Shanghai, the aforesaid sum of $2,561.55, and did then and there embezzle the aforesaid sum of $2,561.55, contrary to the form of such Statute made and provided, and against the peace and dignity of the United States of America. Twenty-fifth—That between the first day of January, A.D. 1876, and the thirteenth day of September, A.D. 1877, O. B. Bradford aforesaid was then and there an officer of the United States of America, to wit, a Consular officer. That as such Consular officer aforesaid at Shanghai, China, he was then and there required to render true and just quarterly accounts and returns of the moneys received by him, for the use of the United States of America, aforesaid, and of the business transacted by him as such officer as aforesaid, on behalf and for the United States of America in and from the office of the United States Consulate-General at Shanghai, China, and did then and there wilfully execute and render false and untrue quarterly accounts and returns to the Treasury Department of the

United

United States of America, as aforesaid, of the moneys so received by him, as aforesaid, and of the business so transacted by him as aforesaid, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the United States of America.

The indictment was sworn to by J. J. Coffey, and subscribed to by G. Wiley Wells, United States Consul-General, Acting Judicially.

The Court (addressing the prisoner)—To this charge, or rather to these charges, what is your plea—guilty or not guilty?

Prisoner (after some hesitation)—I acknowledge procedure on my part upon which these counts may be logically based, but I deny wrongful intent. There is room, of course, for difference of opinion.

The Court—Mr. Bradford, state first what is your plea, and then any statement you may wish to make will be received. Your plea first,—are you guilty or not guilty?—and any mitigating circumstances you can state afterwards and they will be considered by the Court. The plea will be the proper thing first.

Prisoner—Then, for the formal plea. I plead technically guilty, but innocent of any intent to commit a violation of law or an infraction of the regulations of the Government.

The Court—The Court will take down your plea in writing, which is a plea of guilty.

Prisoner (repeating his plea to the Clerk, and apparently reading from papers.)—Technically guilty, but innocent of any intent to commit a violation of law, or to infract a regulation of the Government.

The Court—Is your plea of guilty to each and every count in the indictment?

Prisoner—Yes, to the whole of the indictment. And now may

The Court—You plead guilty?

Prisoner—Yes, technically guilty, and may I be allowed to ask, if possible, that the matter be referred to the Home Government.

The Court—Yes, that is in order.

Prisoner—Then I make that request. I ask that all questions be referred to the Home Government.

The Court—I am willing to allow that. The request is that the charges in the indictment, with your plea of guilty, be submitted, with any circumstances in extenuation you may have to make, to the Attorney General through the State Department; and, therefore, it would be proper and right that sentence should be suspended until such time as the Home Government have been advised and information received from them relating to the matter submitted.

Mr. Drummond—Then I apprehend the Court will defer passing any sentence, in view of the matter being referred to the Home Government, until the matter submitted has been considered by them, and it is their pleasure to reply to this Court.

The Court—Yes, precisely, the proceedings are in the nature of an appeal or a request for pardon.

Mr. Drummond—Then the only question remaining now is with regard to the prisoner himself—what is to be done with him until it is the pleasure of the United States Government to forward to this Court their answer to the questions submitted and his explanation? That is, I presume, the next proceeding to be considered, and the point necessarily arises as to whether the prisoner should be detained or whether he should be allowed to have his liberty. That is the point to be now decided, and I presume it is for the prisoner to make an application to the Court, if he has any desire in that respect.

The Court—Quite so.

Prisoner—I do, I make application for bail.

Mr. Drummond.—That, of course, is a matter for the Court to decide entirely—the question with regard to bail. In the first instance I am not aware what opinion the Court may have on the point with regard to giving the prisoner bail or not; but the prisoner having pleaded guilty, I presume that it must necessarily be a very difficult matter for the Court to grant bail at all after a plea of guilty has been entered.

The Court—Where sentence is suspended, the practice of the Federal Court of the United States, wherein I have had the honour to practice, has been that parties may be bailed. In this instance, I would have no objection to grant the prisoner bail, if he desires. I would be willing to grant him bail until such time as the matter might be properly considered by the Home Government, and an answer returned to this Court by the Attorney General.

Mr. Drummond—I understand you then to decide that bail will be allowed, notwithstanding the plea of guilty, and that that is in accordance with the law and practice of the Courts of the United States of America.

The Court—That is, where judgment has been suspended, as will be the case in this instance.

Mr. Drummond—I have nothing further to urge on the point, and it now only remains for the Court to settle the form and amount of the prisoner's bail.

The Court—I have considered somewhat this morning, and while the indictment was being read, the question in regard to what bail should be required. The law and the constitution of the United States is that no excessive bail shall be required; the Court will look first to the capacity of the prisoner to give bail, and, secondly, to the nature of the offence. I should think that in this case a bond for $10,000 would be quite sufficient with two sureties qualifying in the full amount with the prisoner.

Mr. Drummond—Himself in his own recognizance of $10,000, and two sureties in $5,000 each.

The Court—$10,000 in all: each surety qualifying to the full amount, viz, $10,000.

Mr. Drummond—Then I apprehend there is nothing further to be done.

The Court—No, not if the Counsel for the Government agrees with the Court as to the bail. If you agree I will make the order for $10,000 with two sureties.

Mr. Drummond—I have no objection to make. The charges are very extensive, and are limited to the period of eighteen months past only, and they cover a large sum of money; in addition to which the punishment for such offences is a fine of a very large extent; therefore, it is necessary that the Court should have very substantial security. I have nothing to urge against the amount stated by the Court—it seems sufficient to meet the case entirely. I presume, therefore, that if the prisoner will take the necessary steps to provide his bail—on his own account and his two sureties—I shall be prepared to have the necessary documents drawn up.

The Court—The prisoner can notify me when he is prepared to furnish bail, and I will notify you. You can prepare documents for the amount, and when the parties are ready, the bonds can be executed here in chambers; it is not necessary for it to be done in open Court. In the meantime, the prisoner will be in the custody of the Marshal, who will give him every opportunity to take the necessary steps to obtain bail. (Addressing the prisoner.) Of course, Mr. Bradford, the judgment heretofore rendered will have to be complied with before you can be discharged from custody.

Prisoner—I do not understand you.

The Court—The former judgment against you must be complied with before you are discharged, and when you have complied with that judgment, bonds, or sureties, will be substituted in the present case for your confinement.

Mr. Drummond—Then the prisoner will take steps to get bail, and his sureties will have to be approved by the Court.

The Court—Yes, and their bonds will be substituted for his confinement. Sentence will hereafter be rendered if the petition for pardon is refused by the President. Is there anything further before the Court?

Mr. Drummond—I have nothing further to say.

The Court—Marshal, adjourn the Court.

The Court then adjourned.

United States

Vs.

O. B. Bradford

Printed Copy of

Indictment and

proceedings.

November 12th 1877. –

Inclosure No. 23

Full Report of Proceedings

in the case of

O. B. Bradford

As published

in the "North China Daily News"

UNITED STATES CONSULATE GENERAL

Monday, 12th November, 1877.

Before the Hon. G. WILKY WELLS, Consul-General.

UNITED STATES *versus* O. B. BRADFORD.

Oliver B. Bradford, United States Vice Consul General at Shanghai, who had just undergone a period of imprisonment in the Consular jail for abstracting a letter from the United States mail, was now brought up and arraigned on a series of charges embracing embezzlement, extortion, presenting fraudulent vouchers, and rendering false and fraudulent accounts to the Treasury; the period of such offences being from January 1st 1876 to September 12th, 1877.

Prisoner was brought into Court in the custody of the United States Marshal and took his place at the dock.

Mr. Wells—The Court is now open.

Mr. Drummond (of Messrs. Rennie and Drummond)—I appear to prosecute on behalf of the United States of America.

Mr. Wells (to prisoner)—You understand it is simply an arraignment.

Dr. McCartee (who acted as Clerk of the Court) then proceeded to read the indictment, which consisted of 25 counts. The reading occupied more than half an hour. It was as follows:—

In the Court of the United States
Consulate General
At Shanghai, China

UNITED STATES V. OLIVER B. BRADFORD.

Before the subscriber a United States Consul-General within and for the Empire of China, Acting Judicially, personally appeared J. J. Coffey who, being by me duly sworn, deposes and says that between the first day of January, 1876, and 13th day of September, 1877, Oliver B. Bradford being then and there an Officer of the United States of America charged with the safe keeping transfer and disbursements of the Public Moneys of the said United States of America to wit—Consular Clerk of the United States, Clerk of the Court for the Consulate General, at Shanghai, Deputy Consul General, Vice Consul General and Acting Consul General did then and there receive a large sum of money, to wit the sum of Two thousand dollars ($2000) the said sum of money being then and there the money and property of the aforesaid United States of America, and having then and there come to the hands of the aforesaid O. B. Bradford by reason and by virtue of his the said O. B. Bradford's offices as aforesaid and the said O. B. Bradford did then and there wickedly unlawfully and feloniously convert to his own use, and did then and there embezzle the aforesaid sum of money belonging as aforesaid to wit, the sum of Two thousand Dollars contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

2nd.—That the aforesaid O. B. Bradford was, on the 28th day of January 1876 an officer of the U. S. of A. and was then and there an officer entrusted with the safe keeping, transfers and disbursements, of the public moneys of the U. S. of America, that should then and there come to his hands, by reason and by virtue of his offices as aforesaid and did then and there receive a large sum of public money, for the use and benefit of the said U. S. the amount or sum so received as aforesaid being to this disponent unknown. That the said O. B. Bradford did, then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of America as aforesaid take a large sum of money to wit; the sum of One hundred dollars and did then and there unlawfully, wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $100—belonging as aforesaid to the U. S. of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U. S. of America.

3rd.—That the aforesaid O. B. Bradford was, on the 27th day of February A.D. 1876 at Shanghai China an officer of the U. S. of America charged with the safe keeping transfer and disbursement of the public moneys of the U. S. of America and that by reason and by virtue of his offices as aforesaid he the said O. B. Bradford did then and there receive a large sum of public money belonging to the U. S of America and did then and there take out of and from the said public monies belonging as aforesaid to the United States of America, and did then and there unlawfully convert to his own use a large sum of money to wit the sum of $150, and did then and there wickedly and feloniously embezzle the aforesaid sum of $150 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United State of America.

4th.—That the aforesaid O. B. Bradford was on the 16th day of March 1876 an officer of the United State of America, and was then and there an officer entrusted with the safe keeping, transfers and disbursements of the public monies of the United State of America that should then and there come to his hands by reason and by virtue of his office as aforesaid, and did then and there receive a large sum of public money, for the use and benefit of the said United States of America, the amount or sum so received as aforesaic, being to this deponent unknown. That the said O. B. Bradford did then and there out and from the aforesaid sum of public money so received for the use and benefit of the United States of America as aforesaid take a large sum of money to wit $80, and did then and there unlawfully wickedly and feloniously convert the same to his own use, and did, then and there embezzle the aforesaid sum of $80 belonging as aforesaid to the United States of America contrary to the form of the states in such case made and provided, and against the peace and dignity of the United States of America.

5th.—That the aforesaid O. B. Bradford was on the 28th day of April 1876 an officer of the United States of America, and was then and there, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the United States of America as aforesaid take a large sum of money to wit the sum of $50 and did then and there unlawfully, wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $50 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

6th.—That the aforesaid O. B. Bradford was on the 23rd day of May 1876, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and benefit of the United States of America as aforesaid take a large sum of money to wit the sum of $125, and did then and there unlawfully, wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $125 belonging as aforesaid to the U.S. of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U.S. of America.

7th.—That the said O.B. Bradford on the 26th July 1876, was an officer of the U.S. of A. and was then and there an officer entrusted with the safe keeping transfer and disbursements of the public monies of the U.S. of A. that should then and there come to his hands by reason and by virtue of his office as aforesaid and did then and there receive a large sum of public money for the use and benefit of the said U.S. of A. the amount or sum so received as aforesaid being to this deponent unknown.

That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U.S. of A as aforesaid take a large sum of money to wit the sum of $50 and did then and there unlawfully wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $50 belonging as aforesaid to the U.S. of A. contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

8th.—That the said O. B. Bradford on the 23rd August 1876, was an officer of the U.S. of A. and was then and there an officer entrusted with the safe keeping transfer and disbursements of the public monies of the U. S. of A. that should then and there come to his hands by reason and by virtue of his office as aforesaid and did then and there receive a large sum of public money for the use and benefit of the said U.S. of A. the amount or sum so received as aforesaid being to this deponent unknown. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U.S. of A. as aforesaid take a large sum of money to wit the sum of $83.50, and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $83.50 belonging as aforesaid

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to the U.S. of A. contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U.S. of A.

9th.—That the aforesaid O. B. Bradford was on the 20th day of September 1876, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money, so received for the use and benefit of the U.S. of America, as aforesaid, take a large sum of money to wit $300, and did then and there unlawfully wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $300, belonging as aforesaid to the U. S. of A. contrary to the form of the Statutes in such case, made and provided and against the peace and dignity of the U. S. of America.

10th.—That the aforesaid O. B. Bradford was, on the 18th day of October 1876 an officer of the U. S. of America and was then and there an officer entrusted with the safe keeping transfers and disbursements of the public moneys of the U. S. of America that should then and there come to his hands by reason and by virtue of his office, as aforesaid and did then and there receive a large sum of public money, for the use and benefit of the said U. S. of America the amount or sum so received as aforesaid, being to this deponent unknown. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and benefit of the United States of America, as aforesaid, take a large sum of money to wit $75 and did then and there unlawfully, wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $75 belonging as aforesaid, to the U. S. of America contrary to the form of the statutes, in such case made and provided and against the peace and dignity of the U. S. of America.

11th.—That the aforesaid O. B. Bradford was on the 28th day of November 1876 an officer of the United States of America and was then and there an officer entrusted with the safe keeping transfers and disbursements of the public moneys of the United States of America that should then and there come to his hands by reason and by virtue of his office, as uforesaid and did then and there receive a large sum of public money, for the use and benefit of the United States of America, the amount or sum so received as aforesaid, being to this deponent unknown. That the said O. B. bradford did, then, and there out of and from the aforesaid sum of public money, so received for the use and benefit of the United States of America as aforesaid, take a large sum of money to wit $10 and did then and there unlawfully, wickrdly and feloniously convert the same to his own use, and did, then, and there embezzle the aforesaid sum of $10 belonging as aforesaid to the United States of America contrary to the form of the statutes, in such case made and provided, and against the peace and dignity of the United States of America.

12th.—That the aforesaid O. B. Bradford was on the 28th day of December, 1876, etc. That the said O B. Bradford did then and there out of and from the aforesaid sum of public money, so received for the use and benefit of the United States of America, as aforesaid, take a large sum of money, to wit $36, and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $36, belonging as aforesaid to the United States of America, contrary to the form of the Statutes, in such case made and provided, and against the peace and dignity of the United States of America.

13th.—That the aforesaid O. B. Bradford was on the 30th day of January 1877 an Officer of the U. S. of A and was then and there an officer entrusted with the safe keeping transfers and disbursements of the public moneys of the U. S. of A., that should then and there come to his hands, by reason and by virtue of his office, as aforesaid, and did then and there receive a large sum of public money for the use and benefit of the U.S. of A., the amount of sum so received as aforesaid being to this deponent unknown. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money, so received for the use and benefit of the U. S. of A., as aforesaid take a large sum of money, to wit $91.50, and did then and there unlawfully, wickedly, and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $91.50, belonging as aforesaid to the U. S. of A. contrary to the form of the statutes, in such case made and provided and against the peace and dignity of the U. S. of A.

14th.—That the aforesaid O. B. Bradford was on the 28th day of February, 1877, &c. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money, so received for the use and benefit of the U. S. of A. as aforesaid, take a large sum of money to wit $63.20 and did then and there unlawfully, wickedly, and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $63.20 belonging as aforesaid to the U. S. of A., contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U. S. of A.

15th.—That the aforesaid O. B. Bradford was on the 24th day of March, 1877, &c. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of A. as aforesaid take a large sum of money to wit the sum of $73.42 and did then and there unlawfully, wickedly, and feloniously convert the same to his own use and did then and there emblezzle the aforesaid sum of $73.42 be onging as aforesaid to the U. S. of A , contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U. S. of A.

16th.—That the aforesaid O B. Bradford was on the 30th day of April, 1877, &c. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of A. as aforesaid take a large sum of money to wit the sum of $300.89 and did then and there unlawfully wickedly and feloniously convert the same to his own use and did then and there embezzle the aforesaid sum of $300.89 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

17th.—That the said O. B. Bradford on the 29th of May 1877, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the United States of America as aforesaid take a large sum of money to wit the the sum of $110.20, and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid said sum of $110.20 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided, and against the peace and dignity of the United States of America.

18th.—That the said O. B. Bradford on the 30th June, 1877, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of the public money so received for the use and the benefit of the United States of America as aforesaid take a large sum of public money to wit the sum of $183.40 and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $183.40 belonging as aforesaid to the United States of America contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

19th.—That the said O. B. Bradford on the 26th July, 1877, etc. That the said O. B Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of A. as aforesaid take a large sum of money to wit the sum of $34,01 and did then and there unlawfully wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $ 4,01 belonging as aforesaid to the U. S. A. contrary to the form of the statutes in such case made and provided and against the peace and dignity of the U. S. of A.

20th.—That the said O. B. Bradford on the 28th of August, 1877, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the U. S. of A. as aforesaid take a large sum of money to wit the sum of $205.30, and did then and there unlawfully, wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $205.30 belonging as aforesaid to the U S. of A. contrary to the form of the statutes in such made and provided and against the peace and dignity of the U. S. of A.

21st.—That the said O. B. Bradford on the 12th of Sept. 1877, etc. That the said O. B. Bradford did then and there out of and from the aforesaid sum of public money so received for the use and the benefit of the United States of America as aforesaid take a large sum of money to wit—the sum of $128.50 and did then and there unlawfully wickedly and feloniously convert the same to his own use, and did then and there embezzle the aforesaid sum of $128.50 belonging as aforesaid to the U. S. of A. contrary to the form of the statutes in such case made and provided, and against the peace and dignity of U. S. of A.

22nd.—That the said O. B. Bradford did, between the first day of January 1876 and 13th day of September 1877 at Shanghai China, he being then and there an officer of the U. S. of A.

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charged with the disbursement of the public moneys, did then and there receive and accept and transmit to the Treasury Department of the U. S. of A. certain quarterly account containing receipts and vouchers, the said receipts and vouchers having been received by the said O. B. Bradford by reason and virtue of his being such disbursing officer of the public moneys of the U. S. of A. the said receipts having been then and there received from various creditors of the United States of America with a view of having the same allowed to him, and in his favor as such disbursing officer, as aforesaid, and did then and there cause the same to be allowed, and did then and there by reason as afor said convert to his own use of the moneys of the United States of America, the sum of $10[illegible], contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America

23rd.—That the said O B. Bradford was between the 1st day of January 1876 and the 1st day of October 1877 being then and there an officer of the United States of America to wit Clerk of the Court of the Consulate-General at Shanghai, China, and did then and there by virtue of and under color of his said office, extort from divers persons and individual residents of Shanghai, large sums of moneys to wit $1,000, contrary to the form of the statutes in such case made and provided and against the peace and dignity of the United States of America.

24th.—That between the 1st day of January A.D. 1876 and the 13th day of September A.D. 1877, O. B. Bradford aforesaid was then and there an officer of the United States of America to wit a Consular Officer. That as such Consular Officer aforesaid at Shanghai, China, he was then and there required to render true and just quarterly accounts and returns of the moneys received by him, for the use of the United States of America aforesaid and of the business transacted by him as such officer as aforesaid, on behalf and for the United States of America in and from the office of the United States Consulate-General at Shanghai, China, and did then and there wilfully execute and render false and untrue quarterly accounts and returns to the Treasury Department of the United States of America, as aforesaid, of the moneys so received by him as aforesaid, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the United States of America.

25th.—That the said O. B. Bradford did on the 30th day of July, 1877, being then and there an officer of the United States of America, being then and there entrusted with the safe-keeping, transfer, and disbursements of the public monies of the United States of America, a certain sum of money, to wit a sum of $2,561.55, came to his hand by reason and by virtue of his office aforesaid, and that he did then and there deposit to his own private credit in the Comptoir d'Escompte de Paris, a bank in Shanghai, the aforesaid sum of $2,561.55, and that he did then and there embezzle the aforesaid sum of $2,561.55, contrary to the form of such statute made and provided, and against the peace and dignity of the United States of America.

J. J. COFFEY.

Sworn and subscribed to before me, this the second day of November A.D. 1877.

Sd. G. WILBY WELLS,
U. S. Consul-General.

Mr. Wells (to prisoner)—To this charge, or these charges, what is your plea,—guilty or not guilty?

Prisoner—I acknowledge the proceedings on my part upon which these counts can be logically based. But I deny all intent. There is room for difference of opinion.

Mr. Wells—The first thing will be to take your plea. Then I will take any statement you may wish to make.

Prisoner—Then as a formal plea, I plead technically guilty; but——

Mr. Wells—Let that be taken down.

Prisoner—Technically I plead guilty; but innocent of any intent to commit a violation of the law or to infract the regulations of the Government.

Mr. Wells—And is your plea guilty to each and every count of the indictment?

Prisoner—To the whole indictment. And now may I be allowed to ask that, if possible, these questions be referred to the Government?

Mr. Wells—Yes, that is in order.

Prisoner—Then I make the request; I ask that, if possible, all questions be referred to the Government.

Mr. Wells—The prisoner has a right to request—it is legal and proper—that the matter may be submitted, with any circumstances of extenuation, to the Home Government, to the Attorney General for his consideration as to whether he will recommend a pardon or not. Therefore, it is proper that sentence should be suspended until such time as the Home Government, after having been advised on the matter submitted, shall have communicated its intention.

Mr. Drummond—Then the Court will defer passing sentence, in accordance with the plea, until the matter has been submitted to the United States Government and its pleasure has been forwarded to this consulate?

Mr. Wells—Precisely.

Mr. Drummond—So that all that remains is, that the matter stand over until the pleasure of the Home Government has been forwarded to this Court, in answer to the application?

Mr. Wells—Yes, Sir.

Mr. Drummond—The point necessarily arises whether the prisoner should be detained or be allowed to go at liberty on bail. I presume that, in the first instance, it is for the prisoner to make an application to the Court if he has any desire on that point.

Prisoner—I do so; I make application for bail.

Mr. Drummond—With regard to bail, that is entirely a matter for the Court to decide. In the first instance, I am not aware what the opinion of the Court may be as to bail. Prisoner has pleaded guilty, and I presume it must necessarily be a difficult matter for the Court to grant bail after such a plea has been recorded.

Mr. Wells—It is the custom at home in the Federal Courts in which I have had the honour to practice that parties may have bail pending the decision of their cases. In this instance, I have no hesitation in saying that, the prisoner having expressed a desire for bail, I would be willing to grant it until such time as the matter should be properly returned to this Court from the Attorney General of the Home Government, either granting or refusing a pardon.

Mr. Drummond—Then I understand you to decide, Sir, that bail will be granted?

Mr. Wells—Yes, it is in accordance with the home practice where judgment is suspended as in this instance.

Mr. Drummond—Then I have nothing further to urge on that point. It remains to settle the form and amount of the bail in the present instance.

Mr. Wells—I have considered, since the indictment was read, with regard to what bail ought to be required. The laws and the constitution of the United States are that no excessive bail should be required. The capacity of the individual to give bail should be first looked at; secondly the nature of the offence. I think, under the circumstances, that a bond for $10,000, prisoner being bound in a like sum, would be ample yet not excessive, and be about the amount I should fix upon.

Mr. Drummond.—That is, prisoner's own recognizances in $10,000 and two sureties in $10,000 each.

Mr. Wells—Yes, three parties justifying to the extent of $10,000.

Mr. Drummond—There is now nothing further to be done.

Mr. Wells—No, not if the Government Counsel agrees to that. That being so, I will make the order.

Mr. Drummond—I make no objection. The charges are extensive, but at the same time they are limited to a period of eighteen months past. They, however, cover a large sum of money; and it is necessary that the Court should have very substantial

Security.

security. On behalf of the prosecution I have nothing to urge against the amount stated, which seems sufficient under the circumstances. I presume the prisoner will take the necessary steps to provide the bail, and when the securities are ready and have had the approval of the Court, I shall be prepared with the necessary documents.

Mr. Wells—I will notify you so that you may prepare the bond, and whenever the parties are ready they may execute the same. The bond can be executed here in chambers; it is not necessary that it should be done in open court. Meanwhile the prisoner will be in the custody of the marshal, who will give him opportunity to find bail.

Mr. Drummond—The prisoner will take the necessary steps to get bail until the court is satisfied of his sureties.

Mr. Wells—Yes, then the bond will be substituted for imprisonment. Sentence will be hereafter rendered if the petition for pardon is refused by the President. Is there anything further before the Court?

Mr. Drummond—I have nothing further.

The Court then adjourned.

Enclosure No. 24

Editorial of the

"Shanghai Courier and Gazette"

of 13th November 1877

24

13

THE cases of the UNITED STATES against OLIVER B. BRADFORD cannot be allowed to pass without comment. It is a rule —among English newspapers at least,— not to discuss matters which are *sub judice*. And though one charge against Vice-Consul BRADFORD had been definitively dealt with, we purposely withheld all remark lest opinion might be prejudiced, and his position thereby dimnified, on future and more serious charges. Now that those charges have been brought, and the prisoner has pleaded guilty—qualified though that plea is—there is no longer valid reason for continuing silent.

It is due that, in the first place, some misapprehension in regard to the earlier charge, should be cleared up. Without impugning the correctness of the decision, some few persons seem to have thought that the evidence did not fully establish the prisoner's guilt; that at least a doubt existed which he was entitled to have the benefit of; and that indeed the COURT admitted its mind to have been influenced by matters beyond those deposed to. If this were so, prisoner was hardly dealt with justly; and it concerns the reputation of the CONSUL GENERAL as to whether such objections are well founded. Prisoner was charged with abstracting a letter from the United States mail. A copy of a letter proved to have been mailed at the United States Consulate when he was Postal Agent was produced, in prisoner's handwriting. Of course it does not follow that it was abstracted because it was copied, and it was not altogether impossible that prisoner's statement, that he found the letter open nearly three months after posting—requiring it in the meantime to have been returned from its destination—was true. Thus there had to be weighed against the strongest *prima facie* case of guilt a not impossible—but very improbable—explanation by the prisoner. What then was the credibility to be attached to his statement in the face of his own conduct and assertions at the trial? At the outset prisoner denied, in the clearest and most emphatic manner, all knowledge of any such letter; and it was not until his handwriting had been identified that he admitted making the copy. We cannot conceive that any jury would, under such circumstances, have given the slightest credit to the prisoner's "explanation;" and, disregarding it, the conclusion as to his guilt was inevitable. Nor can we find any admission by Mr. WELLS "that he had not formed his conclusions respecting the guilt of the prisoner from the mere evidence extracted from the witnesses." It was not until he had heard the evidence and expressed, in the most decided language, his conviction of prisoner's guilt, that any reference was made to a knowledge of other matters. When the prisoner appealed to his good reputation, it could hardly be considered unfair, though possibly it was not wise, that reference should be made to the COURT'S knowledge, which merely confirmed his guilt "as proved here on the staud."

We do not propose to discuss the charges preferred yesterday. OLIVER B. BRADFORD has pleaded guilty to an indictment comprising twenty-five counts,—all for offences of a grave nature. "Technically guilty." He "acknowledges the proceedings on his part upon which the counts can be logically based;" but affirms that he was "innocent of any intent to commit a violation of the law or to infract the regulations of the Government." This is certainly a remarkable plea; and indeed, we question whether it could have been accepted in an English court. We have heard similar pleas refused. At best it is a plea of ignorance. But if *ignorantia legis neminem excusat*, least of all should it excuse its sworn and paid officers. What extenuating circumstances, if any, may surround the case will no doubt be ably put forward by the accused in his petition for the President's pardon; and one effect will probably be to direct Government attention to certain radical defects of the United States Consular service. A "very peculiar state of affairs," the accused had ventured to say, prevailed some time ago at the United States Consulate; and under the circumstances, people cannot

but consider the Hon. G. F. SEWARD's present visit to Shanghai ill-timed. His best friends,—and he has many,—could have wished he had not thought it necessary to leave Peking just now. The professional acumen and moral courage with which Mr. WELLS conducted these unusually painful and difficult investigations, and his manifest anxiety to render strict justice, have gained the favourable opinion of the community and must secure the approval and support of his Government. It is idle to indulge in stale platitudes on folly and crime. Yet it may be observed that the influence of certain classes of crime committed in China is peculiarly great and disastrous. Official corruption is ulcerating the moral life of China; and is the charge above all others which foreigners make against the country. The superiority of Western over Eastern civilization is least in railways and steamships, greatest in its higher faith, purer morals, truer life. So we preach. Yet unhappily examples have not been wanting of corrupt officials among foreigners. Nothing tends more to lower the *prestige*, weaken the influence, and injure the foreign character in the eyes of the natives. But whilst no Government can secure the honesty of its servants, its duty is to show, if crime be committed, that no false sympathy, no political influence, nor indeed any undue consideration can shield the guilty from the just punishment of their own acts.

Enclosure No. 25

Extract from the

"Tokio Times"

Dated November 3rd 1877

25

Extract from Tokio Times of. November 3rd. 1877.

Details of the extraordinary trial and conviction, in the Court of the Consulate General at Shanghai, have arrived too late to enable us to give them this week the attention they call for. We can only put on record that Mr. Oliver B. Bradford has been declared guilty of a crime of unspeakable meanness, even when committed by persons in private life, but of absolute enormity when proved against a public official of his position. He was postmaster at Shanghai, as well as Vice Consul General; and he stands branded with the infamy of having betrayed his trust by breaking open letters in his charge and copying them for the use of his patron, Mr. George F. Seward, the United States Minister at Peking. So far as we can hastily gather, Mr. G. Wiley Wells, the new Consul General, has performed a duty of great difficulty with dignity and firmness. We judge, however, from what was partially revealed at the trial, that his labor is only begun. There seems to be a terrible net-work of intrigue and conspiracy surrounding this affair, and we earnestly trust that no influences that may be brought to bear upon him, either by United States officials in China or the State Department at Washington, will cause him to swerve from the direct line of rigorous investigation. And we also hope the pitiful plea that Americans should join in hiding American misdeeds from the light may have no weight. It has been heard and heeded too often. Let other nationalities keep and enjoy the monopoly of that policy. The only hope for a purification of our shameful civil service system, and the only prospect of a thorough separation of the honest men in office from the rogues, especially in the East, lies in just such straightforward and open-handed measures as those which Mr. Wells has inaugurated. If at last we see the beginning of the end, every American who values the good name of his country ought to hail the outlook with rejoicing and thanksgiving.

Enclosure No. 26

Dr. McCartee's Report

on the

"Post office"

No 20

United States Consulate General.

Shanghai, 22d October 1877.

To the

Hon. G. Wiley Wells

U.S. Consul General and Postal Agent

Sir

I have the honor to report that in the Press Copy Book, marked "Post Office Shanghai", handed over to me by the late acting Postal Agent, Mr. Bradford, I find that a premium, varying from 3 5/12 per cent, has been charged upon all the items of expenditure contained in the Quarterly Accounts Current sent from this Postal agency to the Post Office Department at Washington; and that the moneys received from the sales of United States Postal Stamps, have been credited as though they had been received in United States Currency, so called. There is no such currency in circulation in Shanghai, and all payments by or to this Postal Agency are, and, to the best of my knowledge, always have been made in Mexican dollars or their equivalent; and that, as it appears to me, the Post Office has

been

been wronged and defrauded out of a considerable amount of money in this way.

I beg leave also respectfully to call your attention to the fact, that, in the "Post Office acct. for the fraction of 1st Quarter 1877," in the handwriting of Mr. Bradford, Mr. Myers has not been credited with the payment of any "Miscellaneous hire" or "Boat hire", such as are found in the previous reports for a long time past, and in the report for the 2d and 3d quarters 1877. Upon inquiry, I find that the parties to whom those items have been paid for some years past, acknowledge that they received the usual payments in each month of the 1st quarter. I can find no reference to any expenditures or receipts for the four days between the 27th of March and the 1st of April 1877. So that the accounts appear to me to be incomplete and incorrect in these particulars.

Very Respectfully
Your Obedient Servant
D. O. Bethune Wotherspoon
Dep. Postal Agent.

Enclosure No. 27

Mr. Phoenix's Report

to the

Hon. G. Wiley Wells

Enc. No. 21.-

United States Consulate General
Shanghai, October 19th 1877

G. Wiley Wells Esq.
United States Consul General.

Sir:

I have had the honor of receiving your communication of the 15th instant, & wherein you request that I will examine the enclosures Nos 1 & 2; No. 1 being a statement written and forwarded to the State Department, and upon which Mr. Bradford partly relies for his & vindication from certain charges preferred against him by John C. Myers, late Consul General; and No. 2 a protest against, and reprobation of, the receipt by the Department of such Statement. Also your request that I will make a full report of all the facts within my knowledge, relating to the charges & preferred by Mr. Myers against Mr. Bradford. I feel grateful for the opportunity thus afforded me, to bring to your notice some facts, which may help you in reforming the abuses and dishonesty, practiced in this Consulate General.

Our

On the 17th of April last, I was called by Mr. Bradford into his office; he was engaged in writing a statement in answer to charges preferred against him, by Mr. Myers, the Consul General, then under suspension. I was asked several questions in relation to Mr. Myers and himself, in connection with the then existing difficulties. I was well aware, and felt sure, that whatever I might say in the matter, if not favorable to Mr. Bradford, would not be accepted by him. He was in the full swing of his power, and flushed with his success in being the principal cause of Mr. Myers' suspension, and with the entire confidence of the Ministers, I considered it unwise to cross him in any of his plans; as I considered the only alternative left me, was to let him make his answer as it suited him to make it, and at the first opportunity protest against the use of my name in connection with any statement in his favor purporting to have come from me. On the 25th of April, a few days after his conversation with me, and

and after conculting with Mr. Hendrick and Mr. Coffey, I sent a communication to Mr. Myers, signed by the above gentlemen and myself, disavowing Mr. Bradford's action in using our names in his behalf, and complaining of the pressure brought upon us, to force us to endorse and screen him from the charges made, and which we knew were true. As I feel fully competent to make my own statements in this matter, and with my knowledge of the source of the difficulty, I repudiate my so called statement of the 17th April, and respectfully submit the following in its place.

I am made to say that I have been Acting Marshal at the Consulate General for several years; I have been Marshal in every sense the word implies, except receiving the fees due by law to the incumbent of that office. As to the letter of Eng. Pantaw, said to have been written in 1876. I never to my knowledge saw such a letter, or any other letter purporting to have been written

written by a Chinese Official, advocating the Woosung Railway scheme. I know of no personal quarrel between the Chinese officials and Mr. Bradford, but I am well aware that the official relations between them and this office, are not in harmony. I know, and every intelligent person in this community knows, that Mr. Bradford is pecuniarily interested in the Woosung Railway; and boast of his connection with it; I can show that he has land and houses at the Shanghai end of the road, and land at the Woosung end of the line. His speculations in land on the proposed Seward Road is a fact that cannot be denied. The Chinese Officials were led to believe that the Woosung Road was to be an ordinary "Carriage Road" such as others in, and running out of, the settlements; Mr. Bradford in his official capacity kept them under that impression as long as he possibly could, they used their good offices to advance the scheme, and made it easy to purchase the land along the proposed "Road", until they

they became aware of its real character, then they protested, and have always protested against its being continued without the Imperial sanction.

That the Seward Road was laid out by the Municipal authorities is false. I know that it never was in the hands of the Municipal Authorities. It was well known as the fact scheme of the H. B. Consulate General, and the Senior Treaty Consul of Shanghai, W. H. Medhurst of H. B. Mc Consulate, so informed Consul General Myers at a meeting of Treaty Consuls.

This Seward Road was fostered and advanced step by step, by pressure brought to bear on the Chinese Officials, by the H. B. Vice Consul General O. R. Bradford, he owning land along the proposed Road at that time; the only obstacle in his way being the refusal of the Chinese Officials to be cajoled or bullied into forcing the native to remove their family graves, or sell their lands, and the well known animosity of Feng, Taotai to this Consular Officer;

officer; I not only think this Road a
private speculation in which Mr. &
Bradford is largely interested, but I
know it is. The Municipal Authorities
may be ready to light and grade it,
when it has become an established &
thoroughfare.

I am made to say in Mr.
Bradford's statement " that I have been
in his office daily, for many years, and
have heard or known of no discourtesy,
whatever, to gentlemen doing business
there."

I repudiate, most emphatically,
the above sentence. I have been in
his office many times, daily, for &
many years, and few days have passed
that some person has not insulted, who
came to do business with him; as
a specimen of his manner, one &
illustration will be sufficient here:
A respectable woman, formerly Stewardess
of an American ship, being out of em-
-ployment, and anxious to return to the
United States, came to the Consulate
General for assistance, or advice, she
said:

said: "Mr. Bradford I have come to see you to get your advice", Mr. Bradford interrupted her, and said: "Well, the best advice that I can give you, is, that you go to the jetty (pointing out of his office window to the pier) and drown yourself"- The woman began to cry, and he said: Now I don't want you crying around here, get out of this, and don't come bothering me, for I won't have it." Thereupon the woman left his office; I afterwards learned that she was assisted to get to her home by the British Consulate-

It is true that I know nearly every one of this foreign community (about 2000 persons) and that a large number believe Mr. Bradford to be a gentleman- That the community know him to be one, is an open question- And as to his having the full respect and confidence of the whole community, is as absurd as it is false- That no one can make use of him or his office improperly are his words, and not mine- That Mr. Bradford is

is a dishonest public officer, I assert, and have asserted in the face of personal harm, I will go farther and say in plain language, he is a liar and a thief. I use these words as there are no others which would forcibly express the exact meaning I wish to convey. I did tell Mr. Myers not to make charges against Mr. Bradford, and that it would not be the right thing to do; I had the best reason to know that Mr. Myers would fail, unless he first got rid of Bradford by suspension; how close I came to the truth, subsequent events will show. It is true that the books of account have been on the desk in Mr. Bradford's office, but he has jealously guarded them, so that no person had an opportunity of inspecting them. The self same books are in your possession now, and I respectfully call your attention to the manner in which they have been kept, to show that he lied when he said any one could examine his books, as they would be found correct. If these books do not

bound

brand him a thief I never was more mis-
-taken - I have been Marshal at this
Consulate General since 1871, and have
earned by hard work and the faithful
performance of my duties, often attended
with much danger, quite a small fortune,
but I have not received one cent of the
fees I earned, for 5 years, and I have
learned that they were paid to Mr.
Bradford to make his salary equal
to his Worth?. I have reason to believe
that the Marshal's fees amount to
$2000- yearly, Mr. Bradford has taken
from the late Consul General $100- per
month, and placed it to his own credit,
in spite of the protest of Mr. Myers, with
his salary as Consular Clerk $1200- &
appropriation of $100- per month from
the Consul General's salary, the Marshal's
fees $2000-- show a yearly income of
$4,400- then with his well known land
and railway speculations his misappro-
-priation of Government money, his fraudulent
vouchers, his squandering of Estates, and
many other ways known and unknown, of
wrongfully enriching himself, you will not
be

be surprised to know that he is a wealthy man. As you are in charge of the Consulate General, and can investigate as to the truth or falsity of these charges, I appeal to you for an impartial judgement. When Mr. Myers spoke to me of having me regularly commissioned as Marshal, I told him that I hoped it would be done, and that I supposed heretofore that the law had been complied with.

On the 9th January last I was directed by Mrs. Myers to write two letters for him to sign, suspending Mr. Bradford from his several offices and duties in the Consulate General, and ordering him to vacate the rooms he occupied in the Consular buildings; the letters were written, signed by Mr. Myers, and duly delivered to Mr. Bradford. I suggested to Mr. Myers that the proper course would be to give him a copy of the charges preferred, so that he might have an opportunity of answering so far as he could, the charges against him

him, but under the existing state of affairs, it would be unwise to adopt this course, as, knowing the charges, it would be a very easy matter for Mr. Bradford, with all the documents and proofs in his control, and in his keeping, to destroy any evidence Mr. Myers might have secured; with every part of the office under the exclusive control of Mr. & Bradford, with every servant a spy, together with his well known influence with the Minister, it may readily be seen how easy it would be for him to make the charges against him appear as frivolous; how well he has done this self same thing, events can testify. Mr. Myers acted discreetly, I honestly believe, in not giving him a copy of the charges made, but he informed Mr. Bradford, that the charges would be made at the proper palace, and he would be notified of them, at the & proper time. When I asked Mr. & Bradford for the keys of the safe, in obedience to orders from the & Consul General, he refused to obey the

the

the order, and declined to deliver to me the Keys, under pretence of being personally responsible for the contents of the safe, knowing very well that the Consul General was the responsible party, being under heavy bonds to the Government, for all moneys and property in the Consulate General. I anticipated the refusal of Mr. Bradford, to obey Mr. Myers's order, and asked for authority to take possession, but Mr. Myers did not think that he would refuse to obey, and charged me not to go further than to demand the Keys.

Many times, in my hearing, has Mr. Bradford spoken in disrespectful language of Mr. Myers, "the old fool" was a common expression of his. I do not go into details in this, as others will confirm the same thing. The other clerks in this office have frequently and bitterly complained of the treatment they received at the hands of Mr. Bradford; as for myself I have been

been referred to as "My Constable", our Man of all work" and many other contemptible names not necessary to enlarge upon in this report. As for the general complaint of his discourtesy, you may judge how far I am right by the number of complaints that have reached you in the short time you have been here. Those who have cause of complaint against him, in his official capacity, as being overbearing and insulting, I assert, are in great majority, and time, I am sure will bring them to your notice. It is quite true, as he has frequently insinuated, that Mrs Myers was not mentally well. The treatment he received, from the first day of his arrival at Shanghai, and while in charge of this Consulate General, was, to say the least, disgraceful, and most shameful: But that his reason was impaired in the slightest degree, as Mr. Bradford has insinuated, and labored diligently to make public, is an unqualified lie, and as contemptible

as

as its author. Mr. Myers often conversed with me in relation to Mr. Bradford's occupying rooms in the Consulate Buildings; the same amount of rent which the Government are charged $800- per annum for. And he said he thought it a shame that the man had been allowed to quarter himself and servants upon Government space, so much needed for office purposes, while the Archives of the Consulate General were scattered in confusion, and uncared for, in the loft of the building, he has billeted himself without authority on the premises of the Government and has done so for years, without paying one cent in return for the privilege, or paying the gas used by him in his rooms; these facts are evident to yourself by this time, as the respective proofs are in your hands. Mr. Myers has charged that he has spoken disrespectfully of American Missionaries residing in China; that is true enough. I hold the proof in

in my hands of his having caused a slanderous article to be published in a newspaper with a very large circulation in China, and I have heard him, time and time again, speak disrespectfully of them; he seemed to delight in detecting their mistakes or errors in postal matters, and showing their ignorance of postal regulations, in a wrong light to whoever would listen to him; his general reputation, that he has performed the duties of his office with promptness and ability is the outside glow of his own manufacture; how far that is true, I most respectfully refer you to the condition of the office since you have taken charge; the condition of the records, and archives, as well as the want of furniture or supplies found in any of the offices. I have used a desk ever since I came here, my own private property, and have had to supply myself with necessary stationery very many times. I refer you to Mr. Coffey as to the correctness

correctness of his assertion, as he has done the same.

Mr. Bradford read to me the charges, which Mr. Myers had preferred against him; but he was particularly careful not to read to me his answer to them. I am of opinion that Mr. Myers has not done justice to himself, in passing so lightly over the evidence which he could bring against Mr. Bradford. In his defence he has resorted to mental & tranquilizations, which make him appear above our suspicion. He has by a Jesuitical system of argument with his favorites, brought them to think that he has not received from the & Government the recognition his eminent abilities & entitles him to. There is not the slightest indication that he ever & considered the friendship of Mr. Myers worth seeking. He did not call upon Mr. Myers, on the steamer, when he & arrived in Shanghai, but when it served his convenience, sometime afterward; unnecessary obstacles were thrown in the way of Mr. Myers taking charge of his office, and

and during this interval of his waiting, over 3 weeks, he was conspicuously ignored. Mr. Myers does not need to be informed of this fact through me. As for the remarks of Mr. Bradford upon the social position of Mr. Myers, I will pass over, as being as contemptible as the author of them; his standard of social position is that which he has learned from the British snob and whose airs and manners he apes. He is the fountain head of all the venomous accusations against John C. Myers. He has been diligent in spreading scandal and rumors prejudicial to him, and he is versatile in methods of injuring the reputation of whoever unfortunately incurs his displeasure. It is to be regretted that gentlemen of standing in this community, should have given him their endorsement until they had heard the other side of the story. It would be more to their credit, if the grounds upon which their favors was awarded, were a little more obvious;

they

they were called together by Mr. Bradford and the charges of Mr. Myers read to them, they were asked for their endorse-ment, and they gave it, but, did Mr. Bradford verify anything of his falsewable defence? I think that you will find that he did not. Did he ask for an investigation? I do not think he did. But I am sure on the other hand that Mr. Myers did, and if this Consulate General is ever investigated it will prove all that Mr. Myers has charged against it, and much more. It is within my knowledge, and I can produce the proof, that Mr. Bradford caused the Jailer at this Consulate General to sign vouchers for $80. for his months salary, and he handed the jailer but $60. It is within my knowledge, and I can prove also, that he ordered the Jailer to horsewhip a prisoner if the Jailer was so disposed, that same Jailer that you dismissed a short time since, for his abuse of prisoners, sanctioned by O.B. Bradford; as to the justice of

suspending

suspending Convent General Myers from the duties of his office through the instrumentality of this man, and I am convinced that it was done through his instrumentality, is in the hands of the highest tribunal of our country, the House of Representatives - and I firmly believe, and sincerely trust, their verdict will be the ample vindication of John C. Myers. The attempts to extort a compromise from him were repeatedly made, and is well known, and he is entitled to public thanks in resisting that movement - failing in that, every means legitimate and illegitimate, were resorted to in aid of his removal, and overthrow. I have no desire here to eulogise him, he was not perfect, and had his faults, but no man in this community can question his honesty - his refusal to be a tool in the hands of the "land ring" was ample grounds for their dislike - his refusal to bounce and bully the Chinese Officials, was unpardonable, and to crown all, he unfortunately differed with the Minister on some points

points as to the workings of his own office. Whatever may be the reputation George F. Seward, has acquired, the manner in which the Shanghai Consulate General was conducted during his incumbency, is not to his credit. The system which Mr. Bradford adopted of keeping his books, renders it next to impossible for any one to test their accuracy, and from them, he could make whatever exhibit he pleased, or as it suited his purpose to make; in this way, nothing was easier than to practice deception as to the true resources of the office, and with his system and the opportunities he possessed, the temptations were great. If he withheld from me, with the sanction of his superior, the few dollars in fees which I have often risked my life to earn, did he resist the temptation of withholding from the Government, money for himself? At the very best, I hold that doubt must attach to any plausibly supported explanation, in the absence of verification. He may point with pride to his reputation, and to the gentlemen who

who have endorsed him, they believed that he deserved their support, in the absence of proofs to the contrary, but if they were informed of the Jugglery practiced to obtain that support, they would regret that their names ever appeared in connection with his. I have passed over a few of the long confirmed abuses practiced at this Consulate General, and you will agree with me that they are quite sufficient to warrant investigation, to the end that a substantial reform may be obtained, and justice given to all Citizens, without regard to their bank account, or influence. Whatever wrongs or dishonest practices may have existed in this office heretofore, or whatever fraud and deception may have accomplished in building up a reputation, I am sure that you will not countenance any scheme, wherein you may enrich yourself, by the impoverishing or suffering of your fellow man. While all these statements are being made, Charges and Counter charges are going on, regarding your predecessor and his subordinate, it is worthy of remark that no one has

has ever charged John C. Myers with Dishonesty -

While I must regret the disgrace attached to the Consulate General, in this unfortunate matter, I feel assured that the reform resulting will be to the credit of yourself and the Government you represent so ably and impartially.

I have the honor to be,

Sir,

Your most obedient Servant

Richard Phoenix.

Subscribed and Sworn
to at Shanghai this
30th day of Oct A D
1879 before me,

Lucius Fulkerson
U.S. Consul General

United States Consulate General
Shanghai October 1st 1877

R. Phoenix Esq.
United States Marshal.

Sir:

I have the honor to request that you will examine the enclosures marked Nos 1 & 2.- No 1 being a statement & written out and forwarded by Mr. O.B. Bradford to the Department of State, signed by you, setting forth certain facts said to be made by you and upon & which Mr. Bradford partly relies for his vindication from certain charges preferred against him by Mr. J.C. Myers, late Consul General.
No. 2 is a protest dated April 26th 1877, signed by yourself, Mr. Hendrick Consular Clerk & Mr. Coffey, Office Clerk, addressed to J.C. Myers, and forwarded to the Department of State in which you repudiate said statement, and & declare " that any report that he, Mr. Bradford may make to the Department as to these Conversations, we deem, as irregular, unfair, and unjust &c "

I

I have ~~the honor~~ to request, that you will make a full report, as to whether the statement forwarded by Mr. O. B. Bradford, is true, or false. If false, state wherein, and state all facts and circumstances connected therewith. Also state, all facts within your knowledge, relating to the charges preferred by Mr. Myers against Mr. Bradford. - herewith & enclosed.

Yours Respectfully
(Signed) G. Wiley Wells
U. S. Consul General

Enclosure No. 28

Letter and Statements

of

George R. Conner, Acctnt.

Shanghai 2nd November 1877

The Honble G. Wild Wells.
U. S. Consul General.
Shanghai.

Sir.

In compliance with your request I have made a preliminary examination of the Books of account you have handed to me and I regret to say that I find them in such a confused state as to be almost unintelligible and it will require a very difficult and tedious investigation to enable me to verify them. Some of the most important accounts have been left altogether unposted: in other cases accounts are balanced by one sided entries which there is no tracing to any other account; In some instances accounts appear systematically cancelled in Red ink, in others I find half pages of interlineations, The Subsidiary books are much disfigured with pencil memoranda which are unintelligible, and nearly all one side of the Journal has not been entered in the Ledger, On the whole I consider that the Books in their present state have been most negligently kept and that it is

quite impossible to ascertain from them in any reasonable time, (if at all) a true statement of affairs.

I should say that the main Books, namely the Cash Book Journal and Ledger have been intended as the private Books of the late Consul General Mr. J. C. Myers though all the transactions entered in them are the Consular business, and appear (more or less) in the Subsidiary Consulate Books. I have however found several discrepancies as to government fees received by the office. Statement of which I append to this report. Of these differences, many of them I find are entered in the Journal of the Books above mentioned but in no case do they appear in the Government Books, or have they been reported to the Home Government.

I have not had an opportunity to proceed further with my investigation which must necessarily be a work of time, but at the present stage I have been enough to convince me that the accounts have been most improperly dealt with and that such a system of account keeping

can have no other end than to confuse and mislead.

I am Sir

Your obedt Servt.

(Signed) Geo. R. Corner.

Accountant.

Summary.

1st	Quarter	of 1876.	156.50
2nd	"	" to May 23rd	75.80
2nd	"	" to June 30th.	44.00
3rd	"	"	351.60
4th	"	"	116.00
1st	"	1877	213.42
2nd	"	"	442.22
3rd	"	"	306.41
			$1705.95

Shanghai November 2nd 1877

The Honble G. Wiley Wells.
U.S. Consul General.
Shanghai

Dear Sir

I find that your own Books are in the same state as those you previously handed to me. (as was perhaps to be expected) Numerous Journal entries are made only in pencil apparently and in one instance the entry is blank altogether, It seems to have been habitual not to enter Cash received for Fees in any case, so that the total amount received must in every instance be picked out from the mass to ascertain what amount has been taken in the month. The same thing has been done with the Journal, where only the debit side is posted. so that I shall have to make all the entries before I can arrive at a balance which however I will get with as little delay as possible.

I am.
Dear Sir
Yours truly
(Signed) Geo. R. Cornes.

Shanghai November 6th 1877

The Honble G. Miles Wells.

U. S. Consul General.

Dear Sir

The amount in the Books on the 12th Sept 1877 to debit Comptoir des comptes is $2561.55. paid in on 31st July 1877.

There is also an account with the H Kong & Shai Bank in Tls, which is not balanced in the Books by Tls 1107.00. but from pencil memos in this a/c this amount appears to have been drawn by Mr J. C. Myers. and I find him debited in his private a/c with this same amount (also in pencil) I think it would be well to find out if Mr M. did draw this amount and what for. I send you also a memo of the cash in hand and at the Bank on the 12th Sept. (according to the Books) and on the other side what you have received from Mr Bradford, but there is a large remainder which should belong to some account.

I am Dear Sir

faithfully yours

(Signed) Geo. F. Corner.

Enclosure No. 29

Report of Procudings

Trial

No. 82 United States

vs.

Oliver. B. Bradford

"Extract of North China Daily News"

0.23.

United States
vs O. B. Bradford

The North-China Daily News.

SHANGHAI, OCTOBER 23, 1877.

U. S. CONSULATE-GENERAL.

Shanghai, 22nd October.
Before the Hon. G. W. WELLS,
Consul-General.

UNITED STATES *v.* OLIVER B. BRADFORD.

Prisoner for many years has occupied the position of Vice-Consul at the United States Consulate-General, Shanghai; and he was charged with having violated the United States Postal Laws. His arrest was made on Saturday evening, as briefly announced in our issue of yesterday; and as it was generally known that he would be brought before the Court to-day, about fifty residents assembled at ten o'clock to hear the proceedings. The prisoner was brought into Court by the Marshal, and accommodated with a seat at the table at which solicitors generally sit.

The COURT opened the proceedings by reading the subjoined affidavit:—

In the Court of the United States Consulate-General.

UNITED STATES *v.* OLIVER B. BRADFORD.

Before the subscriber, a United States Consul-General, Acting Judicially, within and for the Empire of China, personally appeared D. J. Macgowan M.D., who being duly sworn deposes and says, that on or about Jan. 1st, 1877, Oliver B. Bradford being then and there a citizen of the United States of America, and being then and there acting United States Postal Agent, or Deputy United States Postal Agent, at Shanghai, China, and having then and there charge of the United States mails, did then and there unlawfully take from and out of the aforesaid United States mail a letter, which was intended to be carried by the aforesaid United States mail and lately deposited by the said D. J. Macgowan, M.D., aforesaid, addressed to General W. Myers, San Francisco, California, United States of America, and did then and there unlawfully open said letter with intent and design then and there to obstruct the correspondence of the aforesaid D. J. Macgowan, M.D., and General W. Myers, and did with the further intent and design open the aforesaid letter for the purpose then and there to pry into the business and secrets of the aforesaid Macgowan and Myers, contrary to the form of the statutes in such case made and provided, and against the peace and dignity of the United States of America.

Sworn to and subscribed by D. J. Macgowan, M.D., before me this 20th day of October, 1877.

Signed G. WILEY WELLS,
United States Consul-General,
Acting Judicially.

The COURT (addressing the prisoner)—To this charge what have you to say. Do you plead guilty or not guilty?

Prisoner—Not guilty. I never knew of any such a letter; I never knew that Dr. Macgowan had addressed a letter to General Myers, and I am not aware that I ever saw such a letter.

The COURT—Are you ready for the hearing of the charge?

Prisoner—Yes, Sir.

The COURT—Then, Dr. Macgowan take the stand.

The COURT—I wish the reporters to note what the prisoner has pleaded—that he says he knows nothing of a letter from Dr. Macgowan to General Myers, that he never saw such a letter, and that he never had such a letter in his possession.

Prisoner—I should like to supplement or correct what I said. A letter of that kind may have passed through my hands and therefore have been in my possession, and I know nothing about it.

The COURT—I understand you.

Dr. MACGOWAN was sworn and questioned by the Court—Please state Doctor, whether or not you are the party that signed the foregoing affidavit, making the charge against the prisoner? Yes, it is my signature.—The charge states that you mailed, sometime in January of this year, a letter addressed to General William Myers, of the United States Army, San Francisco, California. Is that true? Yes.—Where did you mail that letter? In the United States Post Office at this Consulate.—Have you ever seen that letter since? No.—Have you ever received any reference to it? None.—State what this document is? (handing same to witness.) This is a copy of a letter that I addressed to General Myers of the United States Army, San Francisco, California—the one I referred to as having mailed in the Post-Office of this Consulate.—Is it full and complete? Yes, but I have not read it.—Read it then? To the best of my knowledge it is a correct copy of my letter to General Myers. There may be some slight verbal differences, but it is my letter.—And why did you mail it? To be carried by the mail to the United States.—And it was stamped and sealed? Yes.—That is, then, a copy of the letter you mailed here for the purpose of being conveyed to San Francisco, and it was stamped and sealed? Yes Sir.—That is all, Doctor.

The COURT—Have you any questions to ask the witness, Mr. Bradford?

Prisoner—No, I don't know of any questions I have to ask him.

JOHN J. COFFEY, one of the clerks at the Consulate, was next examined by the Court—Examine that paper (the copy of the letter) and state if you know whose writing it is? It is Mr. Bradford's writing.—What is it? It is a copy of a letter.—Who is it signed by? It is signed "M."—Is there any other signature? Yes, "D. J. Macgowan, yours truly."

The COURT—Have you any questions to ask the witness, Mr. Bradford?

Prisoner—No, I have nothing to ask him.

Dr. D. B. MCCARTEE, the interpreter at the Consulate, was next called. The Court—Examine that (the copy of the letter) and state if you know whose writing it is? I believe it to be the writing of Mr. Bradford.—How is it signed? It is signed "D. J. Macgowan."—What does it purport to be? A private letter from Shanghai to General Myers, San Francisco; there are some telegraphic names here I don't understand.—But it is a private letter? Yes.

The COURT—Was your letter, Dr. Macgowan, addressed in telegraphic characters?

Dr. MACGOWAN—No, I should have remarked that, with that exception, the paper produced is a full and complete copy of my letter to General Myers.

The COURT—Have you any questions to ask?

Prisoner—No.

The COURT—I believe this is all the evidence that is to be brought before me. I should like to know, Mr. Bradford, whether you have any defence to offer or any witnesses to call. Have you any evidence?

Prisoner—I have no witnesses, but I can explain it (the copy of the letter.)

The COURT—I will hear any statement you may wish to make. You can make any explanation you like. I wish to allow you, as this is a criminal proceeding, every privilege known to the law. Under the rules for criminal proceedings in this Court you are entitled to make any explanation you like, but you cannot be sworn. It is, however, my duty to inform you that any admissions by you may be used against you.

Prisoner—I can account to you for that paper. I will make a statement.

The COURT—Well, make any statement you desire.

Prisoner—About the end of March, 1877, a letter, of which this is a copy, came into my hands, and I made this copy of it. I supposed that when I made the copy of the letter, the original had been addressed to the Consul-General here at that time, Mr. Myers. This is the first intimation I have had that the letter belonged to General Myers of San Francisco.

The COURT—Who is it addressed to, is not your copy addressed to General Myers, San Francisco?

Prisoner—There were two letters, this and another one. I simply made a copy. I presumed they had been to San Francisco and returned to Shanghai. There would have been about time for that if this letter, as it appears, was sent early in January. There were two letters belonging to Mr. Myers. I found them on his desk, and I made this copy of one, and I believe you have my copy of the other. It was the end of March, and there would have been time for the originals to have gone to San Francisco and to have come back to Shanghai.

The COURT—Gone from Shanghai to San Francisco and back again to Shanghai. There is no date as to whether it went in the first part of January or the latter part. Mailed in January it could have come back in March.

Prisoner—Yes, there was time. As to opening any letter I never did, and I never saw this letter until about the end of March. That is all the explanation I have to give.

The COURT—I understood you to say at the outset—in your first statement—that you had never seen a letter that passed between Dr. Macgowan and General Myers, nor any letter of the kind, and that you never had such a letter in your possession?

Prisoner—Not on the 1st January. I understood you to refer to the 1st January. I never saw it until the end of March, and I say now there was time for it to have been to San Francisco and returned.

The COURT—You could not have understood the first of January or January, as the copy was not referred to; and I do not think you knew at the commencement of these proceedings that the Court had the copy. What is the reason you used telegraphic characters for the name of the person to whom it was addressed?

Prisoner—I don't know why. I am in the habit of using them occasionally.

The COURT—You acknowledge the copy of the letter to be in your handwriting.

Prisoner—Yes, and I think I can tell you within two or three days when I made the copy. It was during the time the investigation was going on between Mr. Seward and Mr. Myers.

The COURT—Have you the original letter?

Prisoner—No.

The COURT—What did you do with it?

Prisoner—I put it on the desk where it was found.

The COURT—Is that all you have to say?

Prisoner—I may repeat that the first I ever saw of that letter was in the end of March, and I don't know where it came from except from Mr. Myers's desk. As to taking it out of the mail or anything of that kind I never did—I am above anything of the kind, and I deny most positively that I ever did.

The COURT—The Court will say, since you make this statement, that it has come in possession of knowledge with regard to other letters that could not possibly have been received here by parties—letters opened and found among your papers, although the parties are not now in Shanghai.

PRISONER—I think I can explain that also.

The COURT—I have heard your explanation in regard to the letter now in question. Have you anything more to add?

PRISONER—No, nothing more. These are the simply facts. I have nothing to conceal about it. I made the copy from an open letter.

The COURT—The law under which you are arrested is sections 3,891 and 3,892 of the laws regulating the Postal Services in the United States. I will read the law:—

SEC. 3,891. Any person employed in any department of the postal service, who shall unlawfully detain, delay, or open any letter, packet, bag, or mail of letters intrusted to him, or which has come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any mail-carrier, mail-messenger, route-agent, letter-carrier, or other person employed in any department of the postal service, or forwarded through or delivered from any post-office or branch post-office established by authority of the Postmaster-General; or who shall secrete, embezzle, or destroy any such letter, packet, bag, or mail of letters, although it does not contain any security for or assurance relating to money or other thing of value, shall be punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than one year, or by both.

SEC. 3,892. Any person who shall take any letter, postal card, or packet, although it does not contain any article of value or evidence thereof, out of a post-office or branch post-office, or from a letter or mail carrier, or which has been in any post-office or branch post-office or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or pry into the business or secrets of another, or shall secrete, embezzle, or destroy the same, shall, for every such offence, be punishable by a fine of not more than five hundred dollars, or by imprisonment at hard labor for not more than one year, or by both.

The COURT—In coming to a consideration of your explanation and of the charge, the Court is obliged to state that it is a matter which deeply pains him. In all the officials positions I have occupied, in all the circumstances in which I have ever been placed, I never have had a matter which was surrounded with so many embarrassments as this seems to present; not that I am at all in doubt in regard to your guilt. I am as well satisfied of your guilt of opening the letter as if I had seen you do it. I am convinced beyond a reasonable doubt, that you are guilty. If I had a doubt, I would give you the benefit of that doubt. But all the circumstances conspire to point to you as having that curiosity, which, with your zeal, has carried you beyond the law. You have seen fit, as an officer entrusted with the mail in which are great and important secrets—official secrets, secrets that affect the commercial world, family secrets—you have seen fit to invade that sanctuary, to violate your oath and office, and descend to the mean offence of prying into the secrets of others to satisfy your curiosity by opening a letter. The evidence is that a letter stamped and sealed was mailed at this Consulate for San Francisco, and it is utterly impossible to account how you could have obtained a copy of it on any other hypothesis than that you opened it. But you say the letter was found after it was returned from San Francisco. How was it you first said you had never seen such a letter at all, and were not aware such a letter was in existence. But when you were confronted with the copy of it in your own handwriting, and you knew your handwriting was recognised, you then said that it was found on Mr. Myers's desk, and that it had had time to go to San Francisco and return. Both explanations are lame excuses indeed to try to avoid the penalty of the law you have incurred. And while I say this is a very painful matter to me, yet I will not shrink from the responsibility that rests upon me. You have violated the law, according to the evidence produced, and it now becomes my duty to pass sentence upon you for that offence.

Prisoner (interrupting)—May I speak, sir. Do you propose to pass sentence now?

The COURT—Yes, unless you have something further to say. If you have I will hear you.

Prisoner—I think my word is as good as my accuser's word, or of any of the evidence that has been offered. I adhere to my statement that I never saw the letter until towards the end of March, 1877. Where it had been in the meantime I don't know. It might have been to San Francisco. There might have been time for it to go there and come back again. I could soon ascertain that by looking at the departure of the mails. The letter was on Mr. Myers's desk, and I took a copy of it for Mr. Seward. That is all I know about it, but I should like to be put on oath.

The COURT—The law does not allow you to be put on oath. You are allowed to make

any statement you like, and any statement you make that militates against you will be used in evidence against you. And I will further say that if you wish the sentence to be deferred for a few days, the Court will postpone it to afford you every reasonable opportunity to vindicate yourself. You have made your statement, and that statement is before the Court; and with your explanation fresh before me, I may say there is not a doubt on my mind of your guilt. That a letter addressed to General W. Myers of San Francisco was mailed here there can be no question, that it was stamped and sealed there is not the least doubt, that you had charge of the Post office there is no doubt, and now a copy of that letter is found in your possession, in your own handwriting —an exact copy of the original. You have not denied but admitted that it is in your handwriting, and your explanation is that you found the letter somewhere. That does not excuse you in the least, for it was addressed to General Myers at San Francisco. It was placed in the Post office. You were the post-master. It was your duty to forward letters and see that they were not tampered with; in fact even if the letter had been open you had no right under the law to take the letter out and read it, much less make copies for your own private use.

Prisoner—I copied the letter, but the way in which it came into my hands was from Mr. Myers's desk about the end of March. It was on or near the 27th March, I believe. The letter was in the envelope unsealed. If I had taken the letter out of the mail I would say so—just as soon say so. I am not at all afraid of the penalty of the law. If I in any way had tampered with the mail I would confess it. My reputation in Shanghai is a pretty good one I hope, and I don't think that any one man in Shanghai would believe that I did what I am now accused of doing. I have nothing to conceal. If I took the letter out of the mail I would say so like a man and as an officer of the United States, as I have been here for a great number of years; and you too, would respect me all the more for it. The explanation that I have given as to how the letter came into my hands is God's truth—I never heard of the letter before March. I never knew it was in existence. To the best of my recollection I never saw any letter addressed to General Myers of San Francisco. I did not know anything about this letter at all until the end of March in one way or another, and as for taking it out of the mail I never did, and I call God as my witness.

The COURT—Any letter deposited in this building to be forwarded by mail is in a United States Post office, to all intents and purposes.

Prisoner—I quite understand. It was not in my hands in any way so far as I know—so far as my recollection goes—and whether it was in my hands or not my statement is not in the least affected by it. There is no evidence that the letter ever came into my hands in January; the evidence that it did come into my hands is the evidence which I have given myself. That there was time for the letter to have gone to San Francisco and back again by about the 27th March no person will, I think, deny. There was plenty of time for it to do that if the mail left about the 1st January. It may have been sent from the person it is addressed to, to Mr. Myers who was then Consul-General here. By him it was left on his desk with various other papers and letters—public and personal —and on going to get an official document one afternoon I saw this particular letter and I made the copy.

The COURT—In other words your explanation is, then, that you abstracted a letter from a drawer of the Consul-General's, and copied it. Is that so?

Prisoner—No I did not abstract it.

The COURT—Either you abstracted the letter from the Consul-General for your own purposes, or you took it from the mail and copied it. You must take one or other of these two alternatives. If you abstracted a letter from the Consul-General and copied it for purposes of your own, or took it and copied it for some one else, you did a very reprehensible act.

Prisoner—Yes, it was on the desk in the other room. The letter was lying there and I copied it. I had no interests of my own to serve, and things were in a very peculiar state at the Consulate at that time.

The COURT—Mr. Bradford, the Court would be glad if you could give an excuse such as, to its mind, would justify it in discharging you. But with every latitude I can give you, and after hearing every statement you have made—some of which conflict with your former statements—it has no doubt as to your guilt. Whether, as you say, you abstracted the letter somewhere (that in fact you stole the letter from the Consul-General's desk), and copied it for your own motives, or whether, as is said, you took the letter from the United States mail, it will make no difference unless you can prove that the letter came into your possession legally. The evidence is that there was a letter mailed here, stamped and sealed, addressed to General Myers—that is positively sworn to; there is no doubt or question about that; neither is there that a copy was found in your possession, in your hand-writing, of that identical letter; no one denies that. How, when or where you obtained the original, no one but you and your God knows; the presumption of law is that it being in your possession as post-master, and no one else having access to the mails except through you, not even the Consul-General, that you opened it and made the copy. And I beg to remark that had anyone else,—an ordinary clerk, a Chinaman, or an ignorant man—been guilty of your conduct, the offence would not have appeared to the Court so heinous as it does in your case. The fact of a man holding such a position as yours, a responsible person such as you were,—one enjoying every power, who indeed has sat on this Bench where I am sitting and exercised the judicial powers of this office, who had the custody and control of the mail,—such a person having committed the offence demands immediate and severe punishment. Under all these circumstances, and the evidence before me, I feel that I should not discharge my duty if I did not enforce the law. Had I a doubt, I would give you the benefit of it; and while I do not doubt your standing in the community, so far as the outside world may know, and that it was of a high character; yet I am compelled and constrained to say that facts and circumstances, of which I will not speak, are known to me which confirm your guilt as proved here on the stand. I should feel I had been remiss in my duty if I did not inflict the penalty of the law; yet I am willing that you should have time to consider the matter and to give you a re-hearing. I am willing now to wait until some future day before passing sentence if you do so desire; but I have expressed to you my conviction, and it will take evidence of a positive character beyond what you have urged to remove the impression, in fact the proof which to my mind "is as strong as Holy writ." Are you ready to be sentenced now?

Prisoner—No. I would prefer to wait.

The COURT—For how many days.

Prisoner—I should like three or four weeks.

The COURT—The Court would not be willing to grant that length of time. It would be unreasonable, and I don't think it would favour or further the ends of justice. Other matters are to be considered, and I don't think such a length of time would be advantageous. I will set the case if you like to be heard next Saturday week. That will give you ample time to consider the matter, and to prepare any defence you may have to prepare.

Prisoner—Will you allow me to say a few words to you privately for a moment?

The COURT—Certainly.

The COURT and the PRISONER then consulted together for a few minutes.

When the prisoner had resumed his place in the Court,

The COURT said—Mr. Bradford, are you ready for sentence?

Prisoner—Yes.

The COURT then passed sentence as follows:—Mr. Bradford, you have been found guilty, after a hearing of the testimony in your presence,

of having opened and abstracted a letter from the United States mail, for the purpose of obstructing the correspondence between the parties named and of prying into the secrets thereof. In passing sentence upon you, I can only refer to what I have already said; but I will add that I wish this cup could pass from me. Your position here with me has been that of a subordinate, and one that I would have preferred should have continued if you had been found worthy. But you have not. You have followed the devices of your own heart; you have forgotten God and His commandments. You have violated the law, and you have prostituted your office. But the Court does not wish to harrow or wound your feelings, or give you pain by any additional words; and so, without going into the matter further, the Court will sentence you to pay a fine of $250 and the costs, and imprison you in the gaol of this Consulate for twenty days without hard labour. Mr. Marshal, adjourn the Court, and commit the prisoner to gaol.

The prisoner was accordingly removed by the Marshal, and the Court adjourned.

Enclosure No. 30

Letter From

J. C. S. Cobby

U. S. Consul, Chinkiang

In reference to Post Office

(Un-Official)

United States Consulate
Chin Kiang Nov 12 1877.

G. Wiley Wells Esq
U.S. Consul General.
Shanghai.

Sir:

Remarking upon our recent conversation touching the reliability of Mr O.B. Bradford as a deputy postal agent of the U.S. at Shanghai, I beg to say, that unpatriotic as it may appear, I hailed the establishment of the Japanese Post Office in Shanghai with unaffected satisfaction. And since then I have studiously abstained from sending any private Mail Matter of either my Wife's or my own through the U.S. Post-Office under charge of Mr Bradford. And so far as I have been able to control my home

home corspondence have directed
its transmissin through the
English Mails. My reasons for
so doing have been my want
of confidence in Mr Bradford
as an honest man. I have
always felt that he would not
hesitate a moment to open any
of my letters, and I conscientiously
believe he has done so. My only
remedy was to avoid, if possible,
giving him any opportunities.

I have been fully satisfied
in my own mind of his dishonest
practices for more than two
years. I became, I had no absolute
proof, but you know "trifles light
as air" etc. Nothing short of such
an investigation as you are now
pursuing could establish be-
-yond doubt his criminal prac-
-tices, for he seems to have so
manipulated matters in that
office as to prevent the unquestionable
proofs of his guilt being known.

And

and to have preferred charges against him would have been worse than futile, unless clothed with authority to "dive into the bottom of the" corruptions of that Office "and drag up drowned" proofs by the volume.

Mr Bradford inwardly felt that I distrusted him, and knew only too well that I read his character aright, hence he antagonized me on all occasions which it was possible for him to do, and lost no opportunity to malign and traduce me to others, and as I also believe to the Dept at Washington and the Legation and its attaches at Peking.

He never treated me with the courtesy and civility which my position entitled me to receive whenever I visited the Consulate General, which I beg to add, was not more often than business required

required.

I am.

Sir.

Your obedient servant.

J. C. D. Colby.

Enclosure No. 31

Statement of

G. H. Colton Salter

Encl. 25

Statement.

While in the U.S. Consulate service in 1867. I was at Shanghai on some Consular business. Gen. Thomas the U.S. Consul at Chefoo having left for home "on leave of absence". Mr. Seward, the U.S. Consul Gen.l at Shanghai had also gone home on "leave of absence" & had delegated certain of his functions to his Consular Clerks, Mr. B. T. Lewis & Mr. G. B. Bradford

The U.S. mail arrived at Shanghai & Mr Bradford, with other members of the Shanghai office proceeded to open and distribute the mail. I.e. U.S. Vice Consul at Hankow, arrived.

Mr Bradford after a while, came to a letter addressed to the U.S. Consul at Chefoo and opened it. This letter was not official in form when the State or Treasury Departments, but was strictly a private communication from one of his friends, advising him of the ~~stay~~ rumour circulating in Washington that the Consul General, Seward, would not return to his post and opposing the influence of the writer of the letter and that of his other friends to obtain for him (Gen Thomas) the position of U.S. Consul Gen.l at Shanghai. (Mr. Bradford read this private letter and then handed it to me. I discovered at a glance that the letter was not official and told Mr. Bradford that his act was entirely wrong & that trouble would arise if the thing was persisted in. He refused my

strictures on a not very friendly manner.
I then took him officially and
individually I condemned that act
that it was a breach of trust, etc.

Frequently, during the succeeding
years, up to the time I left Hankow,
in 1869. I have rec'd. private letters,
(but of course addressed to me as
U.S. Consul. Hankow) from the office
at Shanghai, opened and on the envelope
as follows "Opened by mistake G.B."

After my experience with the
Gen Thomas letter, I never felt sure
that letters I sent from Hankow, would
pass the office at Shanghai with
the contents being noted, and therefore
I was in the habit of sending my
correspondence through a Mr. Cantile
house at Shanghai. This was why in
the case with my letter to the "Evening
Bulletin of San Francisco Cal." I also
sent those letters under double cover
so that they might not be identified
by G.B. Bradford at Shanghai.

Mr. Bradford was in the habit of
opening all official letters addressed
to the U.S. Consul at Hankow & claimed
that he was instructed by Mr. Seward -

A vast amount of angry correspondence
occurred & finally, I believe, the State
Department sustained the views of
complaining Consuls & a certain extent
and Mr. Bradford was
officially reprimanded. About that

power he signed himself Chief Clerk
in charge of accounts and Secretary"

This official has no existence except in
his own imagination. He however,
managed to deceive several weak
Consular officials and managed
them as he saw fit

G. W. Colton Jr Atty
Ex. U.S. Consul Hankow &
Kiukiang

Shanghai Oct 29 1877.
Subscribed and Sworn to
before me this 29th day of
Oct 1877 Wilding Russell
U.S. Consul General.

Enclosure No 32

Dpt. McCartee's Report

False Vouchers

for Gas used in

Post Office

26

United States Consulate General.

Shanghai, 20th October 1877.

To the
Hon. S. Wells Williams
U.S. Consul General

Sir,

I have the honor to report, that in conformity to your instructions, I have examined the vouchers accompanying the Report to the Post Office Department at Washington, of the Expenses of this Postal Agency, drawn up by Mr. Bradford, the late acting Postal Agent, to be sent by the mail of the 24th inst.; as well as I was able to do, in the absence of any Books of account; and find, 1st from the party who signed vouchers numbered 4, 5, 6, 22, 23, 24, - that they are not strictly correct; but that the amount charged was arbitrarily apportioned from a petty cash account; and that a very small proportion of the sum charged was expended as charged.

2d I find that in vouchers numbered 7, 8, 9, 10, 26, 27, 28, 29, - the amount in Mexican dollars appears to have been calculated and inserted by Mr. Bradford, in his own hand writing

writing, which may be correct as to the amount, but appears to me to be, at least, irregular.

3d With reference to the vouchers numbered 14, 15, 16, 17, 33, 34, for gas consumed by this Postal agency; I am informed and believe from personal observation that the amount charged is for all the gas consumed in the building. Gas has been very rarely used in the Postal agency, during my connection with this General

4th With reference to vouchers numbered 16, 36, for rent; I believe that the parties who sign the vouchers have no right to do so, and that the vouchers are false. I have distinctly heard on two occasions, one of the partners of Reid, Evans & Co. tell you, that they leased the whole premises to Mr Seward, and that they had nothing to do with the division (or apportionment) of the rents

5th Voucher numbered 37 appears to me to be irregular, inasmuch as it does not specify the time during which the

the Services were Rendered—

6th The vouchers not enumerated above, I think are probably correct, but I am without any Books of Account or other means of verifying them—

I have the honor to be

Sir

Very Respectfully

Your Obedient Servant

D. Bethune McCarter.

E 26

pleasure to despatch "20 from Shanghai

ENGLAND AND CHINA

TWO EPISODES

OF

Recent Anglo-Chinese History

ILLUSTRATING

BRITISH POLICY IN CHINA

BY "JUSTUM"

RESPECTFULLY ADDRESSED TO MEMBERS OF PARLIAMENT AND ALL WHO ARE INTERESTED IN THE MAINTENANCE OF FRIENDLY RELATIONS BETWEEN GREAT BRITAIN AND CHINA

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JAMES BAIN
1 HAYMARKET LONDON
1877

Price Two Shillings

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CONTENTS.

PAGE

I.

Remarks on Recent British Policy in China . . . 1

II.

Despatch from the Taotai of Shanghai to the British Consul at Shanghai 16

III.

Extract from a Letter of the "Times'" Correspondent at Shanghai 23

IV.

Report of the "Ocean" Case 27

Appendix A. Correspondence in *The Times* . . . 82
„ B. Agreement effected by Mr. Mayers . 98
„ C. Extracts from the Press 103

ENGLAND AND CHINA.

I.

The relations between the Governments of Great Britain and China have been so severely strained during the last two or three years, and the danger of another China war has been so imminent that it can hardly be considered inopportune to endeavour to direct public attention to the general bearing of our policy in that part of Asia. The danger, having, for the present at least, passed away, and the Chinese Government having conceded all demands, it may now be hoped that dispassionate consideration of the question will be granted.

A careful study of the course of events in China, has led me to believe that the principles which have guided English policy towards the Government of that empire during the last few years have not been consistent with that strict sense of justice and fairness which as individual Englishmen we proudly declare to be our guiding spirit. *Prestige* is often said to be the basis of our national power in the East, but *prestige* is a vague undefinable term which leaves open the real question as to how the power we possess has been attained, and how it should be maintained. I

believe it is strictly true to say that British Justice has hitherto been the great mainspring of our wonderful success in winning and preserving our empire in India. Not only have we asserted our intention to act justly towards the Eastern races over whom we exercise dominion, and to all with whom we come into contact, but we have, on the whole, so well acted up to this spirit that we have succeeded in establishing a widespread belief in the truth of our assertions. This belief has kept many of the independent Princes of India from openly taking part, and even from intriguing against us, and has been mainly instrumental in the firm establishment of our rule over nearly three hundred millions of Asiatics, aliens to us in creed, and without sympathy or liking for our system of government. The same belief causes the natives of India to resort freely to our Courts of Justice in India, and to appeal to the Privy Council in this country, and is now beginning to induce the natives of China to resort voluntarily to the English Law Courts established in that country. It is therefore a matter of vital importance that the same spirit should be clearly shown in all our political dealings with the Government of China, and that both nationally and individually everything should be done to foster this feeling, and nothing should be done that may fairly give reason for doubt and suspicion of our sincerity. The most unfounded tales tending to the discredit of the Chinese Government are constantly believed and propagated without question, and public writers seem almost with one consent to have united in holding it up

to universal reprobation so that we seek almost in vain for that impartial spirit which first enquires what is to be said on the other side. It appears to me that this is chiefly, if not entirely, due to the absence of correct information and real knowledge about China and matters Chinese, that country being still as nearly as possible a *terra incognita* to the great majority of Englishmen. The statements made regarding the Chinese Government, and its acts and doings, and the arguments based on these statements are nearly always tainted with two special vices, self-interest, and prejudice, and the British public are led to believe that the Government and official class are hopelessly corrupt, false and faithless, and without one redeeming feature.

Many writers industriously place before the public all the arguments they can discover in support of an anti-Chinese policy, and I am therefore only concerned to endeavour to show that there is something to be said on the other side.

The commerce between the two countries has reached such vast proportions that it is unnecessary to advance any other argument as to the great importance of using every effort to maintain friendly relations with the Government and people of that enormous empire.

It is a well-proved maxim that an ounce of fact is worth a pound of theory, and I will therefore give two instances which have come under my notice, in both of which it seems to me that right was not on our side. These two instances are "The Woosung

Railway," and "The *Ocean* Case." I have recently brought before the public through the columns of *The Times*, the main points in connection with the first-named episode; and the second-mentioned episode having come under my notice, and appearing to afford so complete an illustration of the same point, I have been induced to couple the two cases together as the basis of an appeal for the direction of public attention to the question involved.

Before giving a brief summary of those two episodes, I wish to refer to a few points which appear to be worth consideration in connection with this subject. Anglo-Chinese history may be shortly described as a succession of wars and treaties. Every war has been made by England upon China, and every treaty has been extorted at the point of the bayonet. There is a branch of English law best described by the word "duress." If a plaintiff seeking relief in equity can prove that he has been compelled to sign an onerous contract by force or threats he can obtain relief from the obligations so incurred. International law, unfortunately, is still little more than a name, and though it is constantly being elaborated in theory, it can hardly be said to exist in practice. There is no "court of competent jurisdiction," in which a nation can obtain relief such as an individual can obtain in equity, the only court having any jurisdiction at all in such cases is the conscience of the public, or in other words public opinion. If the rule in equity is a sound one to apply to national contracts, China would be entitled to relief from all obligations

incurred by force-imposed treaties. It is hopeless of course to suppose that the public conscience will ever be so moved as to consent to the application of such abstract justice, but is it too much to ask that the consideration I have mentioned shall be remembered so far as to compel the representatives of this country in China to carry out strictly in spirit, as well as in the letter, every obligation which this country has voluntarily undertaken by these same treaties?

Several societies are now engaged in the effort to obtain a just treatment of questions affecting the empire of China, and other countries similarly situated: viz., "The Anglo-Oriental Society for the Suppression of the Opium Trade," "The Aborigines' Protection Society," and "The Association for the Reform and Codification of the Law of Nations," and it is to be hoped that their united efforts may soon result in some national recognition of the just principles which should form the basis of political action by this country and the other great Powers of the world towards China, Japan, and similar independent countries.

It is often argued that China is a semi-barbarous country which refuses to "move on" with the rest of the world, and that England, as a great pioneer of civilization, has the duty cast upon her of becoming a sort of moral policeman to compel the Chinese Government to "move on" faster in the direction of western civilization.

This argument is considered sufficient to justify the British Minister in supporting the introduction of

railways, no matter how the attempt is made. It is but another way of advancing the old argument that "the end justifies the means." To this argument I will make but one remark. If railways are a necessary part of material civilization, surely the strict observance of treaties and international obligations are as necessary a part of moral civilization; and surely the national duty of this country is much more concerned with the latter than with the former. In other words, let material civilization be advanced whenever it can be done without violating the rules of international law and political morality, and let the actions of the British Minister in China be always characterized by the strictest integrity, and set a bright example to the Government which by precept he is constantly endeavouring to teach. The new convention which Sir Thomas Wade has after such infinite labour compelled the Chinese to consent to, is open to grave objections; but as it is somewhat beyond my present purpose, I only intend to make two remarks upon it, and I am induced to make these by the fact that the convention has not yet been sanctioned and approved by the Government of this country. The rights obtained by former treaties with regard to the levying of duties on foreign goods imported into China, which form the surest basis for the eventual opening up of the country to foreign trade, appear to have been almost recklessly thrown away by the recognition of "lekin" in the new convention. The second remark is that the convention itself is of unhealthy origin and based

upon very doubtful morality. A British official, travelling unguarded in a wild and unsettled part of China, carrying a passport from the Chinese Government, was murdered. That the Government had any complicity in the deed has never yet been proved though strongly suspected, and loudly asserted from the very first; however, the opportunity is seized, and although punishment of the murderers has been declared by the highest authority to be the only object sought, yet what do we find is the result? All punishment remitted by express request of the British Minister, blood-money to the extent of 200,000 taels extorted, and various other "concessions" as to opening ports, &c., which are only blood-money in another form. The case was a criminal one; the Chinese Government was put on its trial; the British Minister was practically both prosecutor and judge; the verdict is "not proven," but the sentence is an enormous fine in money and various tradal concessions! This is indeed a strange method of teaching the Chinese the "blessings" of western civilization.

I will give one other illustration of my argument. By the Tientsin Treaty, 1858, it was agreed that when disputes took place between British subjects and Chinese of such a nature that the Consul should be unable to settle them amicably, "then he shall request the assistance of the Chinese authorities, that they may together examine into the merits of the case, and decide it equitably." Now how has this been carried out? In 1865 an Order in Council was brought into force expressly annulling all the

judicial functions and jurisdiction of the Consul at Shanghai, and vesting it in a newly-created officer, viz., the Chief Judge for China and Japan. This change the Chinese have never sanctioned, indeed I believe they have never even been asked to do so. The chief point involved, and from a political point of view a very important point it is, is this: when a British subject as plaintiff brings a case against a Chinese, the British Consul claims the right to have an official present, as it is said, "to watch the case for his national." When a Chinese is a plaintiff, the Chinese official, the Taotai, who ranks with the British Consul, claims the same right. The result in practice is this. At the court where British subjects and subjects of other foreign states bring cases against Chinese before a Chinese judicial officer, a British Vice-Consul or other Consular official sits twice a week (if not oftener), and an American official twice a week, and no such case is tried without a foreign official of the plaintiff's nationality being present. The Chinese official is the judge, but the foreign assessor takes always a very active and prominent part throughout the proceedings. There is no reciprocity, however; and in the British Supreme Court, which has absorbed the Consul's judicial jurisdiction in Shanghai, no Chinese officials are allowed to sit with the judge, or take any part in the proceedings. Comment on this seems unnecessary, except to point out that the British Minister in China should have had the injustice removed years ago.

I will now proceed to give brief summaries of the two episodes which form my text. (1) In regard to the Woosung Railway. The scheme itself formed a deliberate violation of international law. No attempt was made to obtain the sanction of the Chinese Government to the construction of the railway, without which the undertaking was utterly illegal. The making of the line was strongly opposed officially by the Chinese authorities. The British Minister was well aware of the impropriety of the scheme and the illegality of the undertaking, and not only this, but having requested the opinion of Sir Edmund Hornby, then Chief Judge of China and Japan as to whether he could not compel the Taotai of Shanghai to make good the titles to the land on which the railway is built, which he knew to be invalid, he received from Sir Edmund Hornby a strong official opinion against his support of the undertaking. This occurred many months before the line was completed and opened, yet he still continued to give it his "cordial support." He sent the Chinese Secretary of Legation, Mr. Mayers, from Peking to Shanghai about a year ago to endeavour to induce the Chinese Taotai of Shanghai to buy up the railway; this attempt failed, but having subsequently compelled submission to his terms in the Yunnan affair, he immediately made another attempt, and sent down Mr. Mayers again in a British gunboat, supported by a British fleet at Woosung. This time he succeeded, the Viceroy of Nankin succumbed to the pressure, and has agreed to buy, for any sum

that arbitrators may choose to fix, an utterly useless property which ought never to have existed. Mr. Mayer's position being in principle simply that of a political highwayman.* Such briefly, is the first chapter of the future history of the introduction of railways into China.

In support of my statements I refer the reader to the "Despatch," at page 16; the extract from *The Times'* correspondent's letter, at page 23; and the Appendices A and B, at pages 82 and 98, containing the correspondence originally published in *The Times*, and the text of the setttlement effected by Mr. Mayers, respectively. By the letter of *The Times* Correspondent in Shanghai, published in *The Times* of the 19th December, it will be seen that Mr. Mayers went to Nankin in a British man-of-war, the "inevitable gunboat" again, that although the position of the railway is admitted to be "*too assailable*" "*to make it possible to reject a compromise*," "*the idea of extinction was declared inadmissable and the removal was objected to with equal earnestness.*" It is added that "*this last pending question having been now settled, the vessels of the detached squadron have sailed from Woosung on their way home.*" By this simple logic of force the nail of injustice was driven home.

The second episode, "The Ocean Case," may be summarized as follows:—A British owned steamer

* The struggles of the Chinese to escape from the iron-handed pressure are graphically described in the words of *The Times* correspondent at pages 23 and 24.

called the *Ocean* ran down a Chinese owned steamer called the *Fusing*, off the coast of China, on the 4th April, 1875. Sixty-three persons — Chinese—on board the *s.s. Fusing* were drowned by the collision, and the consequent sinking of the latter vessel. The families of these persons were nearly all destitute, and claimed assistance from the Chinese officials, who placed the matter before the British Consul at Shanghai. At his suggestion the matter was placed in the hands of an English lawyer in Shanghai. A case was brought, the report of which is republished in this pamphlet, and fully describes the proceedings in the matter. The Consul asserted his jurisdiction to try the case, and the Taotai sat with him to watch the proceedings in the interest of the Petitioners. The British Consul gave a judgment in favour of the petitioners, and "adjudged the master of the *Ocean* to indemnify the several families" at the rate of "tls. 300 per family as regards the officials, and tls. 100 as regards the servants and crew;" and further decided that "each party should bear their own costs." This judgment was signed by the British Consul and by the Taotai. He then informed the Petitioners that he could do nothing more, and had no power to enforce his own judgment. The whole case therefore was a solemn mockery, and not one of the unfortunate families has ever received any compensation whatever under the judgment. The only assistance they have received has been from the Chinese owners of the *s.s. Fusing*, and from Chinese officials. This is, I

believe, the only case that has been tried in this way, in recent years at least, and it will probably retain the unenviable distinction until the questions of jurisdiction, power, and procedure of the Court for trying cases in which Chinese are plaintiffs is placed upon a proper footing. The British Minister was in Shanghai during part of the trial of the case, and is cognisant of the facts. It is to be hoped that he has long since advised H. M. Secretary of State for Foreign Affairs of the whole matter, and suggested the best method of preventing a repetition of the scandal. It is perhaps too much to hope that Parliament will direct the payment of this judgment out of the national exchequer, though it would be no more than justice, and the sum is a paltry one.*

In conclusion it may be remarked that for nearly three years past H. M.'s Minister in China has been exhausting all his energies in demanding satisfaction from the Chinese Government for the breach of treaty obligations with which he charged them. He gathered together a very powerful fleet of British men-of-war, and by sheer force of might compelled submission to whatever terms he chose to exact. Sir Thomas Wade's personal honesty of purpose and intention is, I believe, unquestionable, it is his judgment as H. M.'s representative in China which is in my opinion so grievously in fault. He is now on his way to this country from China, and will be able

* That the unsatisfied "paper judgment" of the British Consul is, morally speaking, a most powerful weapon in the hands of the Chinese Government can hardly be denied.

then to give full information on all these questions I ask no one to form a judgment until they have heard both sides, and my present appeal is only made in the hope that members of the legislature will insist upon the official version of these matters being placed fully before the public, and not merely pigeon-holed, so that upon a full investigation, a just conclusion may be arrived at for future guidance. The Chinese Government has never found remonstrance of any avail to save them from submission and humiliation, and regard force as the only argument that England uses, or will listen to. It will be the beginning of a new and brighter era in China when, by receiving acts of simple justice, free from the spirit of bargaining, the Chinese Government is led to believe that the force of logic is as powerful a weapon as the logic of force.

I have endeavoured to refrain from merely venting theories of abstract justice, and to give clear evidence of instances of substantial injustice in our dealings with China; and in concluding my remarks I am able not merely to suggest a theory as to what should be done, but to illustrate, by a very recent event, what is done in such cases with the approval of the public judgment. The differences which arose not long since between the Government of this country and that of the United States regarding the extradition clause of the Ashburton Treaty of 1842 have just been settled by Lord Derby's admission of the correctness of the American view, and the surrender of the man claimed by the American Govern-

ment. The question is briefly discussed in an article in *The Times* of the 26th of December last. The contention of the United States' Government was simply this: that as long as a treaty exists it must be carried out in its integrity; that neither party can vary its language or meaning without the consent of the other; and that if one party desires to effect any change, the only proper course is to abrogate the treaty itself in due and proper form, and then negotiate the arrangement of a new treaty. It is now practically admitted that this is a correct view of international obligations, and I think I may safely assume that public opinion will endorse the admission.

In the article in *The Times* above referred to, it is stated that public opinion in the United States might have become "irritated" by "the persistent refusal of England to carry out her treaty obligations." And the next paragraph is as follows:—"All danger of this kind has been removed by Lord Derby's admission that while the old treaty lasted, he had no right to decline its execution. This is an act of frank and fearless justice which has already given the greatest satisfaction, and which reflects lasting credit on the Foregn Secretary." This is an admirable statement of the principle I am contending for, and I cannot believe that any Englishman will argue that a different measure of justice should be meted out to China because "irritation" in that country would not be so serious to England as "irritation" in the United States. Acts of "frank and fearless justice"

to China will equally merit lasting credit; and I confidently assert that they will meet with a most cordial response from the Chinese Government; but even if they do not, the duty of performing them lies none the less clearly upon the Government of Great Britain in all dealings with an independent Treaty Power, whether strong or weak.

Let the Government of this country take its stand upon the existing treaties, and the rules of international law which it acknowledges in dealing with other Great Powers, and do nothing, and sanction nothing, which is in violation of either. Then with clean hands, upholding the world-renowned character of Englishmen for loving justice and fair play, and hating aggression and oppression, let it insist upon the strict fulfilment by the Government of China of all treaty-obligations, and the future will be very different to the past. Anxious not to be misunderstood, let me repeat that my present arguments cover no more ground than this: Remembering that China's present duties towards England are force-imposed, while England's duties towards China are self-imposed, it is only fair that England should neither do in China, nor permit to be done in her name, or with her sanction, unjustifiable acts of commission, or omission, while threatening China with war, and exacting heavy punishment for alleged breaches of duty on her part.

II.

*Despatch from the Taotai to Mr. Medhurst respecting the Woosung Tramway.**

The Taotai Fêng has, as we have already stated, taken objection to the construction of the Tramway at Woosung. We give below our translation of the despatch sent by Fêng to Mr. Medhurst, H. B. M.'s Consul, on the subject.

It sets forth that, inasmuch as the Taotai's previous request for a suspension of the work has not been complied with, he writes again to the Consul setting forth minutely the grounds of his objection. He begs the Consul to stop at once the further progress of the work and to await instructions from Peking. The grounds set forth are these:—The construction of the railway between Woosung and Shanghai is against the wish of the Chinese Government, and is a direct insult to that Government on the part of the foreigners. That throughout all the countries in the world, the power of building roads, &c., is reserved to the Government, and in no instance have railways been allowed to be built in one country by the people of another against its will; even in Japan, the railways

* Reprinted from the *Celestial Empire*, Shanghai, April 20th, 1876.

there, though built with money borrowed from the foreigner, are under the direction of her Government [*lit.* she is free to act as she likes].

If China now allows the people of another country to build roads within her territory, she will not only be laughed at by other countries, but it establishes a bad precedent. That according to the laws of England and America, the making of any railway which interferes with the property in the neighbourhood, or with any public road or water courses, cannot be carried out without the sanction of the legislature. That when an alien buys land or house property, he must conform to the law of the country, unless it is otherwise provided for in the Treaty. That there is nothing in the Treaty that China made with England which sanctions the purchase of land in the interior by aliens to build railways, nor anything in it which sanctions the building of a railway from Shanghai to Woosung. That the railroad now building is causing much obstruction and damage to public and private roads, while the water courses have already suffered great injury from it, and great inconvenience has been caused to the houses in the neighbourhood. That the erection of the bridges along the road has interfered with the shipping traffic. That so far as the 11th year of Tung-Chih (1872) representations had been made by two Consuls to the Taotai of Shanghai, asking on behalf of some foreigners for permission to buy land ; they knew then that if they had not the sanction of the local authorities, they could not even construct ordinary roads ; how much

more, then, is permission necessary for the construction of railroads? Then when permission was granted by the late Taotai to purchase, it was only intended that there should be an ordinary road. That on the 24th April, 1873, when the late Taotai granted the permission to purchase in his communication of that date, there was nothing in it which could be construed into a concession of additional rights or privileges; the Taotai had, moreover, refused to accede to the proposition of a poll-tax being levied. That when the application was made to the Taotai, the Consuls did not indicate in any way clearly to the Chinese officials what use the purchasers were going to make of the land. If it had been known to them that the purchasers were to run a railroad, the Chinese officials would never have consented to the purchase of the land. That in the communication of Consuls, Alabaster and Bradford, the object therein stated was to make an ordinary road, therefore the late Taotai granted the lease; but if it were converted into a railroad now, it would be in violation of the original object stated in the communication. Consequently all the leases and proclamations issued on the project of road-building issued by the late Taotai, will be regarded as waste paper. That inasmuch as the project proposed is one that cannot be permitted in any other country, unless the sanction of the local authorities has been obtained, the writer must object to the scheme, because permission had not been granted by the Taotai, and any assumption of right must therefore be regarded

as pretentious. As to the application by the Consuls for an exemption of duty on the material of the railroad, the communication only stated that the material was intended for the building of a carriage road, and nothing was said about a "steam-engine road." The writer had then refused the application. As to the leases sent to him for the purpose of being stamped, he refused also to seal them. Many of the leases belonging to the company uot having been stamped, how can the company claim the ground to be theirs? The writer has objected to the progress of the work, but he has only done so by peaceful means and on principles of right; he has never used violence or force to obstruct the work. That to sum up his objections, the writer would point out to H. B. M. Consul, particularly to the U. S. Consul, that according to the subsequent convention made by China with Poo An Son (? Anson Burlinghame), article No. 8, it is stipulated that in the construction of railroads the right is reserved to the Emperor of China.

Now the Emperor of China has never issued any edict in the matter of constructing railroads. If the Consul persists as before in assisting the Company to carry out the scheme, he commits a breach of international law, as well as of treaty obligations. To assist in an underhand and a deceptive concern causes injury to the Chinese Government and to its people. Such pertinaciousness is clearly detrimental to China in her friendly intercourse with the treaty Powers. That article 39 of the English Treaty provides that in the shipment and discharge of goods, a permit

must be obtained from the Superintendent of Customs, any breach of this provision renders the goods liable to confiscation. Article 46 says "the Chinese authorities at each port shall adopt the means they may judge most proper to prevent the revenue suffering from fraud or smuggling." Then clause 6 of the Articles of Trade prescribes the limit within which goods can be landed and shipped as specified by the Haikwan. By virtue of this power the Haikwan has fixed the limit to be from the new Dock to the Temple of the Goddess of Heaven, and merchant vessels can alone ship or discharge cargo within this limit. Therefore Woosung is no place to ship or discharge goods. Woosung, moreover, is a sea-beach, which is very essential to the people. Arable ground is held in very great importance in China, and the people are, under no circumstances, allowed to sell Government ground to others to build houses or wharves. Now what is the object of the foreigners who wish to run a train from Woosung to Shanghai? Woosung not being a place where goods can be landed or loaded, the writer has only to arrest the offenders and to fine them. Such being the case the writer would ask what was the use of the railroad? That the Foreign settlement extends from Yang-king-pang to Hongkew, and within this limit are the French, English and American Concessions. That Woosung is in the district of Paoshan and does not come within the precinct of the treaty port of Shanghai. The treaties made with the different countries only stipulate the district of Shanghai being a port open to

trade, and there is nothing about Paoshan district being a treaty port also. The writer would like to know in what concession did the proposed route of the railroad come. That the writer thinks the object of the foreigners in constructing this railway is to shew the Chinese what a railroad is, there being no such thing in China, but if China wants railways, she can construct them herself and she does not require the foreigners to do the initiative ; for instance, the foreigner has steamers and guns, &c., and she has adopted every one of the inventions. Moreover, if foreigners want to build railroads, they will have to go to a great expense to buy land, whereas if China constructs them on her own account, she has nothing to pay for the land. That the undertaking is easy for one and difficult for the other is clear, and if the foreigners wish to make money out of the project is it not an impossibility ? If there is nothing to gain why then do a thing that is contrary to treaty obligation ? The writer wishes to know the object of the projectors, and begs the Consul to stop immediately the progress of the work until instructions can be received from the British Minister at Peking and the Tsung-li Yamen, and he has no doubt that satisfactory arrangements will be made there. But if no attention is paid to this request, the writer will communicate the fact to all the treaty Consuls and publish it in the newspapers, so that officials and people alike throughout the world will know it. The Consul addressed being the chief of the treaty Consuls and having been so long in China, knows no

doubt the exact state of things in Chinese and foreign relations, and understands how to encourage friendly intercourse. In this matter, the writer relies entirely on the Consul for the maintenance of the existing friendly relations, and if the Consul can satisfactorily arrange the affair so as to stop the further progress of the work and to save a rupture, the people in the whole world will be indebted to him and especially will the writer be grateful to him.* —*China Mail.*

* This despatch was sent to the British Consul soon after the laying of the line of railway was commenced, but to the statements and arguments contained therein the Consul has never condescended to reply, and the railway has been completed and opened for traffic in spite of all remonstrance, and under the Consul's support and protection.

III.

EXTRACT FROM THE "TIMES" OF DECEMBER 19TH, 1876.

THE CHINESE RAILWAY.

(FROM OUR OWN CORRESPONDENT.)

SHANGHAI, NOV. 2.

I sketched in my last letter the position of the Woosung Railway, and stated that Mr. Mayers, Chinese Secretary of Her Britannic Majesty's Legation, had been deputed by the British Minister to go to Nankin, and endeavour to negotiate with the Viceroy some arrangement under which the trains should recommence running. I mentioned, also, that an official deputed by the Tsungliyamen to aid in effecting a settlement and the Taotai of Shanghai had gone up to be present at the conference.

Mr. Mayers reached Nankin on the 20th ult,, in Her Majesty's ship Curlew, and was received by the Viceroy with all due courtesy on the following morning. As I predicted would be the case, the whole question turned on securing for the railway a new lease of life. His Excellency wished to buy it up and efface it, and would have agreed to almost any terms of purchase; but the same motive which inspired the enterprize required that every effort

should be made to resist this extinction. As I remarked last week, the object of the promoters was to bring a railway under the eyes of the Chinese, and not at all to sell the plant at an immediate profit and retire. Nor was a proposal made by the Chinese to remove the line to Formosa at all more acceptable. Banished to that island it would have been as far from the eyes of the Chinese people as though it had never been constructed. There was no doubt it would have to be sold. As I explained last week, it was on that condition only that Li Hung-chang's countenance was given to the scheme. He is intelligent enough to see the value of railways and to favour their introduction, but he wishes them to be in the hands of Chinese, not European, owners ; and the position of the Woosung Railway is too assailable to make it possible to reject a compromise. The idea of extinction, then, was declared inadmissible, and the removal was objected to with equal earnestness. It remained to arrive at some understanding, if possible, for working the line, and two years was hinted as a possible period. The Chinese hinted at six months, and eventually halted firmly at a year. The rate of purchase was discussed collaterally, and it was eventually agreed that this should be fixed by arbitrators, of whom two should be chosen by the British Consul at Shanghai and two by the Taotai. These, then, were the terms eventually agreed on, subject to the approval of the British Minister and of the railway company. The railway is to be sold to the Chinese for a sum to be fixed hereafter, but

it is to continue working for a year in the hands of the present company, and payment is to be made in four instalments, terminating at the end of the year, with the object, I presume, of giving the officials a colourable pretext for leaving the management in foreign hands. It remains, of course, with the directors or the shareholders of the company to accept or reject this proposal. My impression is that they will do well to accept it, if they persist in their desire to promote the introduction of railways in China. The prospect of doing this is still sufficiently uncertain. The Viceroy may elect to tear up the whole plant when it comes into his possession, but the chances are, I think, in favour of survival. He may alter his views in the meantime; he may die, be removed, or be influenced by Li Hung-chang; and I am quite persuaded that no better terms can be obtained by anything short of dictation. It would, no doubt, be possible to sell the line out-and-out very profitably, but then that is not the object. Assuming that the terms are accepted, it will remain to draw up regulations for the working of the line, and pending this acceptance, and the draughting of these regulations, the reopening is, of course, delayed.

The case of the man who was run over some time ago was also settled, on the basis of a money compensation, which is likely, however, to prove purely nominal, as the officials admit that they do not know who he was, where he came from, or whether he has any relatives in the world, in which case, of course, there can be no one to be compensated for his death.

It was well, however, to remove the matter from the list of disputes, and there is a secondary advantage in the agreement to terms of compensation, which the Chinese do not, perhaps, quite see. They have always hitherto insisted on a life for a life, and though, of course, their request would be ineffectual if it were opposed to English law, it may be convenient, diplomatically, to refer to this precedent in case of future accidents. On the whole, I think, Mr. Mayers is to be congratulated on the manner in which he has discharged his difficult mission.

This last pending question having been now settled, the vessels of the detached Squadron have sailed from Woosung on their way home. They started for Hongkong on the morning of the 31st of October, after a stay which was probably more prolonged than they anticipated, but which has no doubt conduced very greatly to the peaceful settlement of affairs.

IV.

The following report is copied from *The North China Herald* of June 19th and July 17th, 1875, published at Shanghai:—

H.B.M.'S CONSULAR COURT.

SHANGHAI, 11*th June.*

Before W. H. MEDHURST, Esq., *H. B. M.'s Consul*, and FUNG TSIEN-KWANG, *Taotai of Shanghai;* A. DAVENPORT, Esq., and CHEN FUTCHAN, *Magistrate of Mixed Court*, being present.

The representatives of Chinese drowned by collision of S.S. *Fusing* with S.S. *Ocean* v. Capt. BROWN, of the *Ocean.*

Mr. DRUMMOND and Mr. EAMES for the Plaintiffs.

Mr. WAINEWRIGHT and Mr. HANNEN for the Defendant.

This was a suit to recover Tls.63,000 as compensation, at the rate of Tls.1000 each to the families and representatives of the sixty-three persons drowned in the collision between the steamships above named, on the 4th April last. The Court was filled with Chinese men, women, and children interested in the case.

Mr. DRUMMOND having stated that Mr. EAMES and himself appeared on behalf of the plaintiffs.

Mr. WAINEWRIGHT said that Capt. Brown, in compliance with the Consul's direction or request, had

appeared there to-day. But he had come before the Consul simply as Consul, and not acknowledging any jurisdiction on the Consul's part to hear these claims. He came there to contend that the Consul had no jurisdiction to hear the case in the way proposed. He (Mr. Wainewright) did not know whether this was the time to put in his protest, but if it was, he would do it very shortly.

The Consul having intimated that he would hear the grounds of protest,

Mr. Wainewright went on to say, that Capt. Brown contended, that by section 4 of the Order in Council for 1865, the Court had no jurisdiction over him; the section ran—"All Her Majesty's jurisdiction exercisable in China or in Japan for the judicial hearing and determination of matters in difference between British subjects, or between foreigners and British subjects, or for the administration or control of the property or persons of British subjects, or for the repression or punishment of crimes or offences committed by British subjects—or for the maintenance of order among British subjects—shall be exercised under and according to the provisions of this Order, and not otherwise." Then came Section 5, which said: "Subject to the other provisions of this Order, the civil and criminal jurisdiction aforesaid, shall, as far as circumstances admit, be exercised upon the principles of, and in conformity with, the Common Law, the Rules of Equity, the Statute Law, and other Law for the time being in force in and for England, and with the

powers vested in and according to the course of procedure and practice observed by and before Courts of Justice and Justices of the Peace in England, according to their respective jurisdictions and authorities." Therefore, the first proposition was, that the whole of Her Majesty's jurisdiction, civil and criminal, over British subjects was to be by the Order in Council. He would next read Sections 7 and 9 : "There shall be a Court styled, Her Britannic Majesty's Supreme Court for China and Japan." "There shall be one Judge of the Supreme Court. He shall be appointed by Her Majesty, by warrant under Her Royal sign manual." Section 36 provided : "All Her Majesty's jurisdiction, civil and criminal, exercisable in China, beyond the district of the consulate of Shanghai, and not under this Order vested exclusively in the Supreme Court, and all Her Majesty's jurisdiction, civil and criminal, exercisable in Japan, and not under this Order vested exclusively in the Supreme Court, shall, to the extent and in the manner provided by this Order, be vested in the Provincial Courts, each for and within its own district." The Order expressly took away from Her Majesty's Consul at Shanghai all his civil and criminal jurisdiction, for Section 35 provided :—"All Her Majesty's jurisdiction, civil and criminal, exercisable in China, shall for and within the district of the Consulate of Shanghai, be vested exclusively in the Supreme Court as its ordinary original jurisdiction." Therefore it was quite clear, as between one foreigner and

another at any rate, that all Her Majesty's jurisdiction in Shanghai was vested in the Supreme Court. Then came the question—Did it apply where the plaintiff was a Chinese subject? On that point he would refer the Court to Section 117 which provided:—"Where a foreigner desires to institute or take any suit or proceeding of a civil nature against a British subject the Supreme or other Court, according to its jurisdiction, may entertain the same, and where any such suit or proceeding is entertained shall hear and determine it according to the provisions of this Order, and the Rules made under it applicable in the case." Then, upon the question whether "a foreigner" included a subject of the Emperor of China, he would refer the Court to Section 3:—"The provisions of this Order relating to British subjects apply to all subjects of Her Majesty, whether by birth or by naturalization. The provisions of this Order relating to foreigners apply to subjects of the Emperor of China and of the Tycoon of Japan respectively, and subjects or citizens of any State other than China or Japan, not being enemies of Her Majesty." He, therefore, contended that Chinamen were, for all purposes of the Order in Council, to be regarded as foreigners, that they could only sue in the Supreme Court, and that all Consular authority in such cases was taken away and transferred to that Court. Of course, on the other side, he knew that Article 17 of the Treaty of Tientsin might be adduced in opposition to that argument, and that the Order in Council might be deemed

inconsistent on the point, but that, he (Mr. Wainewright) contended, was not a question that the Consular Court could decide. A Consul was a servant of the Crown, acting under the direction of the Crown and, in Shanghai, all his jurisdiction had been quite distinctly, and in most unmistakable terms, taken away as between the Crown and Chinese. Therefore the defendant denied the authority of the Consular Court to sit in this case to award damages as it might be.

The CONSUL: Then you put in as answer that the defendant appears under protest?

Mr. WAINEWRIGHT said yes, and he would submit his grounds in writing if the Court chose.

The CONSUL said he would prefer them in writing.

Mr. WAINEWRIGHT said it could be done at some future time.

The CONSUL (to Mr. Drummond): Will you put in the petition in the case?

Mr. DRUMMOND said he would put in his authority to act on behalf of the claimants. It was under the Chehsien's seal, and stated his reasons for granting it.

Mr. HANNEN said he must make a formal objection —that it did not give any authority on the part of the plaintiffs themselves.

The CONSUL said the Chehsien, in his position as magistrate of this district, appeared to authorize Mr. Drummond to appear for the relatives and friends of the deceased.

Mr. HANNEN said he would read the letter of authority from the Chehsien, which was as follows:—

"*Authority*:

"Sung, title of the Third Rank, Expecting Taotai, Acting Prefect, Chehsien of Shanghai, gives this letter of instruction:

"Whereas the sinking of the Chinese steamer *Fusing* by the British steamer *Ocean* had caused Quai Kwang-lih and other 63 persons in all to lose their lives, and whereas the relatives of the deceased persons have petitioned the authorities for redress, now I, the said Chehsien, whose duty is to protect the lives of the people, am bound to see that due redress be obtained from the master of the said steamship *Ocean* or any other persons concerned for the damage by loss sustained by them; and as this is a case between Chinese and foreigners it ought to be dealt with in accordance to treaty stipulations. Having already requested H. E., the Taotai, to hold a Mixed Court in conjunction with H.B.M.'s Consul to hear the case, it appears to me that W. V. Drummond, Esq., Barrister-at-Law, knows the English law thoroughly, and is a qualified person to petition on behalf of the relatives of the deceased. I, therefore, instruct you, the said Barrister-at-Law, to file immediately a petition in H.B.M.'s Consular Court to recover such redress for the damage by loss sustained by the persons whose names are set forth in the following schedule. The said case to be heard and decided by H. E. the Taotai, in conjunction with H.B.M.'s Consul. Given under my hand and seal, this the 9th June, 1875."

Mr. HANNEN went on to say that, firstly, they had

no proof that it was the Chehsien's authority; and secondly, it was an instruction to file a petition in H.B.M.'s Consular Court, and this was not a Consular Court.

The CONSUL said he would note both objections.

Mr. DRUMMOND resumed by saying that Tong-king-sing had seen the relatives of the deceased persons, and had also consulted him (Mr. Drummond) on their behalf. That would, perhaps, meet the objections raised. The case now being before the Court, he would read the petition of the plaintiff, as follows:—

"The petition of W. V. DRUMMOND, Counsel for the relatives and representatives of the several Chinese officers and persons whose names and descriptions are stated in the schedule hereunto annexed, respectfully represents as follows:—

"1st. On or about the 4th day of April, in this present year, the British steamship called the *Ocean*, commanded by William Brown, came into collision with the Chinese steamship called the *Fusing*, in consequence whereof the said steamship *Fusing* sank in a few minutes after said collision, and the Chinese officers and persons named and described in the schedule aforesaid were drowned.

"2nd. The said collision and the loss of life consequent thereon were wholly or partly attributable to the fault and misconduct of Captain William Brown, or of some other person or persons on board and having the control and management of the said steamship *Ocean*.

"3rd. By reason of the deaths of the officers and other persons mentioned in the said schedule, their families have been left without support, and have suffered grievous loss and damage.

"4th. The relatives and representatives of the parties mentioned in the said schedule have applied to Captain Brown, master of the said steamship *Ocean*, for compensation for the said loss of life, in the sum of 1000 taels for each life so lost as aforesaid, but he has refused or neglected to pay the same.

"The said W. V. Drummond, as Counsel as aforesaid, therefore prays that your Honour, in conjunction with the proper Chinese officer, will cause inquiry to be made as to the amount due on account of the said loss of life, and condemn Captain Brown, the said steamship *Ocean*, and the owner or owners thereof, in the amount of the said loss and damage.

"And your petitioners will ever pray."

The CONSUL said, as regarded the petition, he must call notice to the fact that neither the steamship *Ocean* nor her owners were under his jurisdiction. Therefore, the Court could only hear the case as against Captain Brown, who was charged with misconduct and neglect.

Mr. DRUMMOND said the owners were put in the petition simply because the plaintiffs had put in all whom they thought had done them an injury, and for no other reason. With that view he had inserted those people, and made them nominally parties to the suit. He would now refer very briefly to the statements that had been made on behalf of Captain

Brown as to the jurisdiction of the Court. Under the 17th Article of the Treaty of Tientsin, the plaintiffs had applied to Captain Brown for compensation, and having failed to obtain it, they now applied to the Consul for redress. They supposed the proper steps had been taken to bring the case before the Court, but with those steps they had nothing to do. The case was now before the Court, which would say whether the British subject complained of ought to make any redress, and, if so, what redress, to the families of those who were drowned in the collision. He would submit in evidence a copy of the notes made by the Chief Judge at previous hearings of the case. The copy had been made by the Clerk of the Court, and was verified and sealed. He would now put in the copy.

The CONSUL suggested it would save time to take that evidence as it stood.

Mr. WAINEWRIGHT asked if it was intended to examine the witnesses again.

Mr. DRUMMOND said he would put them in the box, and ask them a few questions upon the points bearing on the present case.

The CONSUL said he had no objection if the other side had not.

Mr. HANNEN.—We do not consent and we do not object.

The documentary evidence was then submitted to the Court, and the proceeding was interpreted to the Taotai, who made no objection.

Mr. DRUMMOND said that would cover the greater

part of the ground in the case as regarded the collision. The witnesses could be brought before the Court to answer any questions that might be put to them. The Court was of course a Mixed Court.

The CONSUL.—You cannot call this a Mixed Court. It is a Court called under the 17th Article of the Treaty of Tientsin.

Mr. HANNEN.—I understand, then, that this is a Consular Court that you yourself are holding, and that the Taotai does not have any jurisdiction ?

Mr. WAINEWRIGHT.—Have you equal powers, that is the question ?

The CONSUL.—I find some difficulty in giving a direct answer to the question. We are here by virtue of the Article in Treaty. I do not say it is a Mixed Court, like that in the Maloo; it is a Consular Court, but I rule that subject to the correction of my superiors. It is practically a Court to go into certain claims against a British subject, and I sit as Consul. Not being able of myself to settle the matter satisfactorily, I have called in the assistance of the Chinese authority.

Mr. DRUMMOND said, the reason why he used the term Mixed Court, was because the Chinese authorities were present in person.

The CONSUL suggested that the point should remain over. He would take a note of the protest.

Mr. HANNEN said, on behalf of the defendant, they ought to know what Court they were before—what Court they were protesting in.

The CONSUL repeated it was a Consular Court, called under the direction of an Article in the Treaty. If there was any doubt in the matter, it rather strengthened the defendant's case.

Mr. DRUMMOND thought it was not incumbent on the Consul to give a name to the Court. It was sufficient to know that the Court was held under an Article of the Treaty.

The CONSUL said he was not bound to find a name for the Court. It was simply a Consular Court, held under Treaty, to decide equitably in the matter brought before it.

Mr. DRUMMOND said, he had referred to the matter to avoid any confusion that might arise. He held that this Court was not bound by any decision or rule of Law of England or elsewhere, but that the Court would deduce from the authorities that would be brought before it what it might deem to be an equitable settlement of this case. That being the case he would cite some of the authorities of English law, which would show how the case would have rested had it been taken in an English Court. There was first Lord Campbell's Act, and next the 27 and 28 Vic. cap. 95, the latter being an amendment, allowing the representatives of persons, where there were no executors, to bring an action, they being beneficially interested. That was the basis on which such cases were brought in English Courts, and which had become a most common procedure in those Courts against Railway Companies, there being also many cases against ships. With regard to the rule of law

which was to be applied in this case there would no doubt be a little difficulty, because there were some cases in which Common Law applied, and in others the Admiralty rule. It was a question that remained open in England to the present date, whether the Admiralty rule would apply in such a case. But still he thought it would be for this Court to decide whether it would be guided by the Admiralty rule or Common Law. There had been two decisions already in this case, one in the Naval Court and the other in the Court of Admiralty. These decisions went to show the cause of the collision and who was to blame. The present Court was familiar with the fact that both vessels were held to blame, and the question now would be how far the *Fusing*, on board of which the plaintiffs' relatives were, contributed by neglect to the collision. If this Court found that the collision was caused by the fault of the *Ocean* alone, there could then be no contributory negligence on the part of the plaintiffs in this suit. But if this Court should arrive at the same decision as the Court of Admiralty, that both ships were to blame, it would then have to decide how far the *Fusing* was to blame, so as to preclude the plaintiffs from recovering. He would submit that the proper rule to be adopted in this case in equity was the Admiralty rule, and not that of Common Law. In support of this argument, he referred the Court to the Judicature Act of 1873, which would give a very important authority as to the proper rule to be adopted in this case; but as he had before said, there was nothing binding on this Court,

except what was binding on the conscience. The Court would have to steer its way through any law that might be brought before it, and therefore the Judicature Act had just as much authority as Lord Campbell's Act or any other. It was for the Court to make up its mind whether it would follow the Admiralty rule or Common Law. The opinion as to which was best was clearly expressed in the Judicature Act, in cases where the two rules were in conflict, and both ships being to blame. It was the very latest, and very best, expression of opinion, that the Admiralty rule was the best to follow in such cases, and would in future be followed in English Courts. The cases he would refer the Court to, were the *Colfax* (2, Ad. and Eccles. 229); the *Explorer* (3, Ad. and Eccles. 289); the *Beta* (2, P.C. 447); and *Milan* (Lushington); and the *Rona* and *Ava;* and that of "Armstrong *v.* the Lancashire and Yorkshire Railway." If the Court arrived at the conclusion that the Admiralty rule alone was to apply in this case, it would be relieved of all difficulty with regard to Common Law. These were the only authorities he would refer to at present, but he would now proceed to call evidence. He would first call

TONG-KING-SING, who, declared, deposed—I am manager of the C.M.S.N. Company. They were the owners of the *Fusing*. Her last voyage was to Tientsin. She left here on the 27th day, second moon, (3rd April). There were 66 passengers on board in all. They were all Chinese (handed in list

of Chinese). Those are the names of the persons who were drowned—63 in all, one of them being a foreigner, the third engineer of the ship. I have seen the relatives of a good number of those who were drowned. I have had letters from others whom I have not seen. They have authorized me to take steps to seek redress on their account. I have been authorized by all with whom I have been in communication. I have also been in communication with the Taotai on the subject. It is with his consent, and with the consent of the families of those who were drowned, that I have instructed you to take proceedings. I have informed the Taotai and the relations of those drowned as to the steps I have taken from time to time. They have agreed to those steps. Before bringing this case I wrote a letter to Captain Brown, claiming compensation on behalf of the families of the deceased. I have received no reply from Captain Brown besides his initials in the chit-book. I know, as regards the sailors, that they have left families, widows and children without support; some of the officials who were passengers, as far as I know, have also left wives and children, and they have written me to say they have no means even to come to Shanghai. Many of the officials had not been in office for some years, which will account for their poverty. They were all in the employment of the Government, but in a minor capacity, not actually in office. When an official dies in the service of the Government, the Government does something for his

family. In the list I have put in I have stated the rank of the persons drowned, and also the names of the crew and passengers who were saved.

By Mr. WAINEWRIGHT.—When the *Fusing* started on her voyage, there were 66 passengers, exclusive of crew—22 officials of Kiangsu, 3 officials, members of the Rice Committee, 1 official of Chekiang, 18 ordinary passengers, not officials, and 22 servants of officials and passengers. That makes the 66. I got that information from our ticket-book. Out of those 66 passengers—19 out of the 22, the three officials, the official from Chekiang, nine out of the 18 ordinary passengers, and 13 of the servants were drowned, in all 45 out of the 66. Five of the compradore's staff were drowned, 12 of the crew, and the foreigner. I made out the list from the information given by the people who came back. There were 116 on board altogether—50 besides the passengers. These consisted of eleven compradores, 33 sailors and firemen, and six Europeans. I saw every one who came back. Everybody I did not see, I put down as drowned. (The witness was then examined as to his mode of communication with the deceased's relatives, and the latter's relationship to the deceased, and the authority they had given him to take proceedings on their behalf. The result showed that authority was given, as regards the 22 officials, in two cases by brothers personally, in all the other officials' cases by writing addressed to the C. M. S. N. Company collectively). I can produce all the letters received on the subject. There are six claim-

ants whose names are unknown—two passengers and four servants. I have not communicated with their relatives. There were nine unknown at the time the suit was brought, but we have discovered three of them since.

The CONSUL said it would be necessary to have distinct information as to the families to be compensated.

Mr. WAINEWRIGHT said, that was desirable, in order to ascertain who, if any, were entitled to compensation.

Witness resumed—The servants are included in the masters' families. We wrote to them singly, and they replied to us in a body. There were seven passengers whose names were unknown, but we have communicated with their relatives by letter. I can produce these letters to and fro. I have communicated personally with the representatives of the compradores' staff, and also with those of the sailors. I keep them all acquainted from time to time with what I had done. I had the information printed and circulated among them. I cannot now furnish a correct list of the persons on whose account I am claiming. I might be able to do so by further reference to Soochow. I believe the three servants who are here can give more information as to the families than I can.

The CONSUL said, there must be a definite list of the families somewhere.

The question was referred to the Taotai, who said there was no such list, and, in the case of those who

were unrepresented, it might be that the Government would have to find descendants for them.

Mr. WAINEWRIGHT said that was an amendment of Lord Campbell's Act not previously contemplated.

Witness resumed—As far as I know, no application has been made to the Chinese Government for pecuniary help to these families. I have known lots of cases in which compensation has been awarded by the Governments to the families of those who have been killed in service. It is done in different ways, sometimes by money, and at others by the bestowal of office to the survivors, and sometimes by posthumous honours only. I cannot say what the compensation would be for an official of the 6th rank. It would be more than Tls. 100. Cannot say it would be Tls. 500. Such a man's relations might have office and rank conferred upon them worth thousands of taels. I do not know any case in which a payment in hard cash has been made: I know there have been such cases.

Re-examined by Mr. DRUMMOND.—According to Chinese custom, the Chehsien is the proper person to authorize proceedings like these.

Mr. HANNEN objected that the witness could not be received as an expert on Chinese Law.

Mr. WAINEWRIGHT said he had not asked a question as to the Chehsien, and he did not know how it could arise in re-examination. If it were persisted in, he should have to cross-examine upon it.

The CONSUL said he accepted the Chehsien's authority, as being in accordance with Chinese custom.

Mr. HANNEN.—Then it is the ruling of the Court that, in all cases, the Chehsien has authority to represent the families of deceased persons.

The CONSUL said, as far as he was concerned in the present case, he was content to accept the Chehsien's authority, and to rule that Mr. Drummond was duly authorized to appear for him.

MR. WAINEWRIGHT—And we protest against it.

THE CONSUL—I will note the protest.

MR. DRUMMOND said he would waive the point, and not re-examine upon it.

Re-examination resumed—I left the *Fusing* a quarter of an hour before she started. I saw most of the persons mentioned in the list. I went to see them off, and had conversation with many of them. I was on board about an hour. I produce the counterfoils of the tickets taken by the officers. We issue tickets to ordinary passengers, but do not insert their names. There are here altogether 25 tickets for officials—from 18 to 42—one of them carrying 17 officials and 14 servants on one ticket, but the servants' names are not given. Some of the single tickets also carry servants. The tickets from 18 to 42, inclusive, carry 60 passengers. The other six might have gone on board with free tickets.

MR. WAINEWRIGHT—How does he know there were six others if there are no tickets to show?

Witness resumed (after a patient reference to his book)—We always number the tickets, from No. 1 each trip. In this case 15 tickets were applied for but cancelled. No. 16 was for one official and

servant; No. 17 was also for one official and servant, who did not go. That makes up the number to 62. The remainder may have gone on board free, or paid their passage on board, which is often the case. Ching keeps the lists. The number of passengers is always put upon the freight list. I can produce it. It will only show those passengers who left Shanghai. The compradore receives the money of those who come on board to pay their passage. The first compradore would probably have had the lists. He was drowned, and all the books were lost with the ship.

Mr. Wainewright—Do you still adhere to the statement that there were 66 passengers?

Witness—Yes, the second compradore was saved, and gave me the number of the passengers roughly, in pencil, on his arrival at Shanghai. His name is Wong-ching-fook. He is now away on board the *Yessing*, but will be back in three or four days. Three of the officials who came back gave me information about the others; the captain and a quartermaster told me about the seamen. The three officials are all gone to Tientsin, and will not return here until the autumn. The captain and quartermaster are both here.

By the Consul—I do not know if any money has been given by the Government to the families and representatives of the deceased. The Company has supported the families of the poorer portion of the crew. We have given some $10 and some $15 gratuities. I have a list of the names to whom we have given (produced). The *Fusing* had sufficient

boats. She had four for the 116 people on board. Very often coasting steamers, with a greater number of people, have only four boats. The *Fusing* was in collision at Tientsin, and came back for repairs. There was a survey report made both before and after the work was done.

It was said the Tientsin report had not been put in evidence yet.

Witness said he could produce it from Tientsin if required, and added that the Shanghai report had already been before the Supreme Court. The Chinese Government, as far as I know, are not holding us responsible for the loss of these lives. They have made no claim upon us.

The Court then adjourned until the afternoon. The Court resumed at 3 P.M.

TONG-KING-SING, recalled—I produce copies of the reports made at Tientsin, which the Court referred to this morning, one before and one after repairs were executed. Three officials paid their passage on board—the 5th and 6th on the list, and the last but one; also three persons unknown. That makes a total of 66. The names of these six were not on the list, but they were among the persons drowned. (Asked by the Court how he knew these men were on board, as their names were not on the ticket). I saw the last but one on board. I did not take notice of the other two. Their names were included in the list handed to us by the Taotai as among the officers drowned. That is all.

To Mr. Wainewright—I have stated that 53 on board the *Fusing* were saved. These comprised the captain, 1st and 2nd mates, chief and second engineers, 21 crew, including firemen, cooks, sailors, quartermasters, sampen men, carpenter, and cabin servants; 6 compradore's staff, 9 passengers, 9 servants, 3 officials. I recollect an application being made to me to get return of a coat lent on board the *Ocean* to one of the passengers saved. The passenger referred to was the first of those I have named before. The monthly wages of the sailors were $17 to $18 a month, the same as in other steamers. The compradore got $90 a month, and paid his staff. There were 11 on his staff, including himself. I imagine the four who were drowned got $10 or $12 a month each. As far as wages are concerned, I doubt if the official servants would get more than $4 or $5 a month, but they get perquisites. Probably $100 a year would represent their actual income.

Robert Morton Andrews.—I was captain of the *Fusing* at the time of her loss. I have already given evidence on the loss of the steamer, in the case tried in the Admiralty Court. When we left Shanghai we had some quantity of passengers on board. They were all Chinese. I could not say how many. I had nothing to do with the keeping the accounts or the tickets, or anything affecting the passengers alone. I do not know the names of the Chinese saved. The only Europeans saved were Frederick Wallace, chief officer; H. B. Rose, second mate; James Ferrier, chief engineer; James Shearer, second engineer; and

myself. I don't know the names of the crew saved. There were thirty-nine saved, that would leave thirteen lost. I cannot say how many passengers and others were lost. It is the compradore's business to know that; he was drowned, and all books and accounts were lost with the ship. All who were saved were brought back by the *Ocean*. I saw the *Fusing* go down. It was impossible for any others to have been saved except those who were brought to Shanghai in the *Ocean*. Only one of the *Fusing's* boats got clear; she saved twenty-six lives; none of the other boats got clear, this one only got free by floating out when the ship went from under her. There was no time to get out any boats, the ship sank so rapidly. The boats and all appliances for saving life were in proper order at the time of collision. Every step was taken that could be taken for the purpose of saving the lives of those on board. The ship herself was, as far as I know, in thoroughly good order at the time.

To Mr. HANNEN.—The other appliances besides the boats were the life buoys. We had two. We had out two of the boats lost, on the last voyage, at Tientsin. I did not inspect them at Shanghai before starting. The boats were not slung, but were resting on chocks, on the top of the house. We always lift up the boats when we paint them. The chocks where the boat rests are not painted. The boat is painted where it rests on the chock. The boat saved was one of the two larger ones. It was a calm day, with a smooth rolling sea, no breaking water. I think our boat could have saved more, but it was nearly

half full of water. The other could have saved the same number. The others were not much smaller. They would have saved nearly as many. All those who were saved were brought back by the *Ocean*. The following is a list of the persons saved :—captain 1, mates 2, engineers 2, firemen 8, sailors 3, quarter-masters 3, sampan men 2, cooks 3, cabin servants 5, compradores 5, barber 1, carpenter 1, total 36 ; and 19 passengers. I mean there were 19 at the time when we counted them, one died afterwards ; 18 were brought to Shanghai.

To Mr. DRUMMOND.—The boats were never put back on the chocks when the paint was wet. There was nothing to prevent the boats being put in the water for saving life as rapidly as on any other occasion. Our boats are supplied with masts, sails, oars, buckets, water-beakers, rudder, litter and boat-hook. All these things were in the boats on the occasion. If the *Fusing* had remained afloat long enough we could have saved nearly all those on board by our boats. The rest we might have saved by other means.

To the TAOTAI.—I consider the collision was caused by the steering of the *Ocean*. I do not consider it was caused by our speed or her speed. I did not alter our course before the collision.

To H.M. CONSUL.—I should recognize a great number of the crew we brought back. I do not think I could recognize any of the passengers. I might recognize three who were in the saloon.

JAMES FERRIER.—I was chief engineer of the

Fusing. I was on board on the last voyage when she was lost. There were three engineers and nine firemen in my department: eight of the firemen were saved, and one was lost. I knew nothing of the passengers who were on board. I said all that I knew in regard to the collision, in the recent case in the Admiralty Court. The engines and everything in my department were in perfect good order.

Witness was not cross-examined.

H. B. Rose, second officer of the steamer *Fusing*.—I gave in evidence all that I knew of the collision, in the recent Admiralty Court. I have nothing to add to it.

To Mr. Hannen.—The boats were placed on the chocks on the top of the houses. There were davits and ropes attached to the davits so as to sling them out if necessary. The blocks and hooks hooked into the tackle. They were always kept ready. They were all ready hooked—(asked, if they were all hooked, how was it one floated clear?) It was not necessarily an accident that one floated clear. It may have been unhooked. I don't know how it did get clear. I had not time to get my boat clear. It does not follow that the one saved was not hooked on at the time of the collision. I unhooked some of the fastenings of my own boat. The boats had covers on up to the time of the collision. They were fastened on with a lacing, which goes under small nails which are round the gunwale of the boat.

Re-examined by Mr. Drummond.—The cover can be got rid of in a few seconds by a sailor's knife or unlacing. The covers were all taken off directly, in

a few seconds. I saw them off. The boats were carried in the usual way in which they are always carried in coasting steamers. There was no obstruction, to my knowledge, to prevent their being launched as rapidly as boats can be launched.

To the TAOTAI.—It was I who first heard the whistle of the *Ocean*. I estimated she was about half-a-mile to one mile from us at the time. It was only a guess. She struck us on our starboard bow.

To H. M. CONSUL.—It would take about four minutes to lower any one of the *Fusing's* boats; that is the longest time.

FREDERICK WALLACE, chief officer of the *Fusing*.—I know nothing of the passengers on board. I gave all that I know of the collision in evidence in the recent Admiralty suit. The boats were in perfectly good working order in every respect. The reason only one boat got free was because the passengers wouldn't keep clear of them till they were off the chocks. They would crowd in, ten or twelve into a boat. We could have got them out if there had been sufficient time. From the suddenness with which the ship went down, we had no opportunity of doing so. I know of nothing that we could have done that would have improved our chance of saving more lives.

Witness was not cross-examined.

To H. M. CONSUL.—I do not know how many passengers there were. It was not part of my duty to know. That is all left to the compradore.

JAMES SHEARER, second engineer.—I gave my evidence fully in this case in the late Admiralty Court, and have nothing to add.

Witness was not cross-examined.

CHUN-A-KUN, quarter-master on board the *Fusing*. —I gave my evidence the other day in the Admiralty Court.

To H. M. CONSUL.—All I said before is true. I was in the water and was picked up. If the ship had not gone down so quickly, the boats were ready and could have been got out. I have seen them taken out before. They were easily got out.

Witness was not cross-examined.

MR. DRUMMOND said this closed the list of the witnesses who had been previously examined, and suggested that the time was opportune for an adjournment. What fresh evidence he had to offer had better be gone into separately. He purposed producing some of the passengers who had been saved, and then giving what evidence he could with regard to the effects that had been lost.

In reply to a question from the Court, Tong-king-sing said only three or four of the passengers saved were in Shanghai. The officials had all gone to Tientsin.

After some conversation on the subject, the Taotai said the families of the officials could not be brought forward. The families of the sailors could be so, if it were wished. But if the Court were prepared to take the word of the Mandarins in regard

to the families of the officials who were lost, he did not see why their word could not also be taken in regard to the sailors.

Mr. Drummond submitted that the Court should be satisfied to a reasonable extent that there are families, and that the Chehsien is acting on their behalf. He would leave it to the Court to ask for what evidence it would like.

The Taotai said the action was not brought so much to decide the question of compensation as of liability; if the decision were in favour of the plaintiffs, the officials would probably not take the compensation. With the families of the sailors it was of course different.

Mr. Hannen said if the other side would undertake to say they only wanted nominal damages, he would be content that evidence as to the effects should not be called. However, there was no doubt many points which H.M. Consul would have to discuss with the Taotai, and which Mr. Drummond would have to think over. It would be better to leave the matter for the present.

Some conversation followed as to the adjournment. H.M. Consul named Friday, but the Taotai objected, because the *Ocean* was likely to go away on that day. He was told that the captain would remain here, and that the present action had nothing whatever to do with the ship, but he maintained his wish that the case should be brought on earlier. Eventually Friday was named, subject to possible alteration, of which notice would be given.

June 18*th*.

The case was again postponed, in consequence of Mr. Medhurst's absence at Chinkeang.

H.B.M.'S CONSULAR COURT.

SHANGHAI, 11*th July*.

Before W. H. MEDHURST, Esq., *H. B. M.'s Consul*, and FUNG-TSIEN-KWANG, *Taotai of Shanghai*; A. DAVENPORT, Esq., *H. M. Vice-Consul*, present.

The representatives of Chinese drowned by collision of S.S. *Fusing* with S.S. *Ocean* v. Capt. BROWN, of the *Ocean*.

Mr. DRUMMOND and Mr. EAMES for the Plaintiffs.

Mr. WAINEWRIGHT and Mr. HANNEN for the Defendant.

The Court resumed to-day, after an unavoidable adjournment since the 11th June. The Court was again numerously attended by representatives—men, women and children—of the relatives of those drowned in the collision.

Mr. WAINEWRIGHT said, before proceeding, he would hand in a written protest from Capt. Brown against the jurisdiction of the Court, as promised at the commencement of the case.

Mr. HANNEN also, before proceeding, would call the attention of the Court to the words as they stood in the so-called petition:—"The said W. V. Drummond, as Counsel as aforesaid, therefore prays that your Honour, in conjunction with the proper Chinese officer, will cause inquiry to be made as to the amount due on account of the said loss of life, and condemn Captain Brown, the said steamship *Ocean*, and the owner or owners thereof, in the amount of the said loss and damage." He thought it was understood that the words, "the said steamship *Ocean*, and the owner or owners thereof," should be struck out. The Consul had said the Court had no authority over the owner or owners, but there appeared to be some doubt in Mr. Drummond's mind as to whether they should be struck out.

The CONSUL replied that what he had said was that he had no jurisdiction over the owner, and that the retention of the words was objected to by the Court. He had entered it so; but Counsel for the plaintiff persisted in retaining the words as they stood.

Mr. DRUMMOND—And I do so still.

Mr. HANNEN—If the Court objects to the words, they had better be struck out.

The CONSUL—Let it remain as it is for what it is worth, subject to your protest that the owners are not before the Court.

Mr. DRUMMOND then handed in two lists—one containing the names of the officials drowned, and the other those of the passengers and crew.

The Consul, before proceeding further, wished to say a few words as to the nature and functions of this Court, or tribunal, or whatever else it might be called. The Consul and Taotai sat together on the 11th June, to investigate a claim submitted to them, under Art. XVII. of the Treaty. A question arose as to the character and function of the agents, English and Chinese, who sat together, and it was ruled by the Consul, subject to his correction by his superior, the Chief Superintendent of Trade, that proceedings were being had before a Consular Court, convened under the 17th Article of the Treaty of Tientsin, and presided over by him, as Consul, assisted by the Taotai. Reference having been made, as the Consul proposed, to the Superintendent of Trade, he, the Consul, now declared that his former ruling must be modified. The case known as the case of *Fusing* v. *Ocean*, had been decided in the Admiralty Court so far as claims arising out of damage done by the *Ocean* to the *Fusing* and her cargo is concerned. But the relatives of the Chinese drowned in the *Fusing* had further applied, through the Chinese authorities, to the Consul, to recover compensation for the families dependent on the deceased, and the discussion thence occasioned being of such a nature that the British Consul was unable by himself to secure amicable adjustment of it, he had requested, as by Art. XVII. of the Treaty he is bound to request, the assistance of the Chinese authorities, that they may together examine into the merits of the case and decide it equitably. In this

examination the Consul and Taotai had a co-ordinate position, the Taotai watching the interests of the claimants, being his nationals; the Consul taking the lead in conducting the proceedings, because the parties claimed against are of his nationality. This explanation he wished to put in, in order to meet objections that had been made respecting the constitution of the Court.

Mr. DRUMMOND asked whether, for the convenience of the proceedings, a name could not be given to the Court?

The CONSUL declined to give any name. He simply sat with the Chinese authorities.

Mr. HANNEN.—Then it is a 17th Article Court.

Mr. WAINEWRIGHT.—A Treaty Court.

Mr. HANNEN.—And that disposes of Mr. Drummond's authority.

Mr. DRUMMOND.—It remains to be seen if the Consular Court is mentioned in the document, the original application being in Chinese.

The CONSUL said the words in the original Chinese document authorized application to the English Consul's office.

Mr. DRUMMOND.—That is exactly what was done, and it is in accordance with the Treaty—the application being first made to the Consul.

The investigation of the lists of officials and other passengers and crew drowned was then about to be proceeded with, when

Mr. HANNEN said he must object to them, as not having been in any way proved or authenticated.

The Consul said the list of officials was authenticated by the Chehsien's seal, and that of the other passengers and crew by the C. M. S. N. Co.'s seal.

Mr. Hannen.—We object to them altogether, as not being properly verified. The other side has had plenty of time to get them properly verified, and to have sent us notice respecting them. They have not done so, and we do not know what the lists contain.

Mr. Drummond.—This is all preliminary ; you do not know but what all these people's representatives are in Court.

The Consul.—What the Court called for was a complete list under the Chehsien's seal. You have put in one sealed by him, while the other is not so. Could not the Chehsien authenticate one as well as the other ?

Mr. Hannen.—No doubt he could ; but we object to it altogether.

Mr. Drummond asked Mr. Tong-king-sing why the Chehsien had not put his seal to the list of the other passengers and crew ?

Mr. Tong-king-sing.—Because he knew nothing about them and could not do so.

Mr. Drummond.—The manager of the C. M. S. N. Co. will state in what way the second list was made up.

The Consul.—Are the representives of the deceased here in Court ?

Mr. Drummond.—I believe they are all in Court.

The Consul asked how the Chehsien could authenticate one list and not the other ?

Mr. TONG-KING-SING.—The Chehsien took the list of the officials from the Fantai's list; but he knew nothing at all about the rest of the people on board.

The TAOTAI (whose private interpreter had explained matters to him as they proceeded) said the Chehsien's seal could be added to the second list, if necessary, to authenticate it.

The CONSUL, after a conversation in Chinese with the Taotai, said, in the case of the officials, the Chehsien appeared to have got the list from the treasurer of the province, and put his seal to it; but it seemed he had not done so in the other case, because of the C. M. S. N. Co. being an official Company. He had, however, told the Taotai that he preferred that the Chehsien's seal should be attached.

Mr. HANNEN.—Surely we ought to have had copies of these documents, instead of which nothing has been given us.

Mr. DRUMMOND.—They have only just been furnished to me. Copies can be supplied, if necessary, but the real document is in Chinese.

Mr. HANNEN (to the Court).—Will the Court put on record, in some way, the fact that the lists have been made up by the Chehsien simply from information he had received from others, and that we object to their being received as evidence of any kind?

The CONSUL.—I can do that; but I, from the first, ruled that I accepted the Chehsien as an authority in the matter.

Mr. HANNEN.—Then you will take it that the list is made up with the authority of the Fantai?

The CONSUL.—Yes ; I will accept the two lists on condition that the second list of passengers and crew is sealed by the Chehsien. The sealed list of the officials must be accepted as proof that they existed and were on board. We have no other evidence that they were in the ship, for we cannot bring them here to prove it themselves.

It was then arranged that the second list (of passengers and crew) should be sent to the Chehsien for seal, and the messenger was at once despatched with it. In the meantime the examination upon it was proceeded with.

TONG-KING-SING deposed—I have a list in pencil of the people who were on board, made by the second compradore, who was on board when the *Fusing* was lost. His name is Wong-ching-fuk. The memo. gives 116 persons in all—a list of the drowned and saved—53 saved, 63 drowned. It gives no names, but specifies their condition. He handed it to me the moment he came back, at ten in the morning on the 6th April, on board the *Ocean*. Wong is present in Court. I have made out a list of sums paid by the C.M.S.N. Co. for the support and otherwise of survivors, and of relatives of the persons who were drowned. I hand in both lists.

Mr. HANNEN—We have no copy of the disbursements. Surely we ought to have had a copy of such a document.

The CONSUL said it should have been provided.

TONG-KING-SING resumed—The first name on the

list is Lu-chin. He is represented here by his brother. His father is marked on the list, but he is not here. The second name is not represented in Court. He has a mother on the list. No. 3 is not represented in Court. He has two wives named in the list. (A woman in Court here ejaculated that she represented him.) I received particulars of these families from the Liangtai of Hupeh. The names in the list are those of persons entitled to compensation. They are the nearest relatives; but there are other relatives not noted in the list. No. 4 is represented by the same woman (the one in Court). She is deceased's sister. She is not a relative of No. 3; deceased was in the same office with her brother.

Mr. WAINEWRIGHT also protested against there having been no copy of these claims furnished by the other side. It was impossible to follow an examination of this kind without a list.

The CONSUL handed to Mr. Wainewright a translation of the list, reserving to himself the list in Chinese.

TONG-KING-SING continued—Nos. 5, 6, and 7 are not represented in Court. From 8 to 20 the deceased are servants of officials, and unless they can be represented by the relatives of the deceased officials who are responsible for them, they cannot be said to be represented in Court. Nos. 21, 22, and 23 are employed on board the steamer *Yehsing*, and will be here to-morrow probably. Nos. 24 and 25 have no representatives in Court; No. 26

has an uncle; 27 is represented by his father; 28, by a sister; 29 and 30 are unrepresented; 31 has a sister in Court; 32, an aunt; 33, a sister. (This man, 33, was described by the head sailor as Li-hang-hei; the sister first described him as Hongkong, and 24 years of age); No. 34, not represented; 35, by his mother; 36, by a sister-in-law, whose husband is a sailor on board the *Haining*; 37, unrepresented in Court, but his brother is cook at a house at Bubbling Well Road; 38, name not known and unrepresented. He was a servant of one of the three officials saved, who is now at Tientsin; 39, a foreigner, but not being under the Treaty, was struck out.

The above closed the list of claims on account of deceased passengers and crew; and the Court adjourned till 1.30.

Upon resuming, in the afternoon,

TONG-KING-SING recalled, said, in reply to Mr. Drummond—The representatives of Nos. 5, 6, and 7 of the preceding list are now in Court, being a younger brother of No. 5; and elder brother of No. 6; and a brother of No. 7.

The Court then proceeded with the investigation of the official list.

TONG-KING-SING said No. 1 was represented in Court by his brother; No. 2, by no relative. His servant was in Court this morning, deputed by deceased's family to represent him; No. 3, by his son; No. 4's wife was in Court at the last sitting, but could not stay in Shanghai; I paid her money to enable

her to return home; No. 5's grandson was also in Court at last sitting, but is gone back to Soochow; No. 6's servant was in attendance the other day, deputed by the family to represent deceased, but he has also returned home; No. 7 is represented by his servant; No. 8's brother (a Tartar) returned home last night. He was here at the last sitting. No. 9's servant was in Shanghai, deputed by the family. He was obliged to go away, and deputed a man now in Court to answer for him; No. 10 is represented by his servant; No. 11 by his brother; No. 12 by his servant; No. 13 by his elder brother; No. 14 by his servant, the same who stands deputy for No. 9's servant; No. 15 by his son; No. 16 by his cousin; No. 17 by his son; No. 18 by his brother; No. 19's son was in Court this morning, but is not here now; No. 20 by his servant; No. 21's nephew was here at the last sitting. I saw him. He is said to be sick and unable to come. No. 22's father was in Court last sitting — he is 78 years old; No. 23 had a relative in Court this morning, he is not here now; No. 24's widow was here at nearly every sitting in the case, both in the Supreme Court and here, but she has since gone to Ningpo. That concludes the list of officials.

Mr. DRUMMOND said these 24, with the list taken this morning, exclusive of the foreign engineer, make up the number to 62.

Witness, cross-examined by Mr. HANNEN, deposed —I know several of the relatives of deceased on both

lists—three or four of the officials. I cannot say anything as to their circumstances.

Re-examined by Mr. DRUMMOND—As manager of the C. M. S. N. Co., I produce the list handed in.

WONG-CHIN-FUK (examined through Heding) deposed—I belong to Ningpo. I was third compradore of the *Fusing* steamer, and was on board when she was lost. When I came back to Shanghai, I made up a list of passengers and crew who were on board when she was sunk. I handed it to Mr. Tong-king-sing. It contains no names, only the number. I made it up from information given me from the survivors of the passengers and crew.

Mr. HANNEN said he had no question to ask the witness.

By the COURT—My duties on board were to assist in looking after the passengers, and the shipment and discharge of goods. As far as I know the list I handed in was correct.

Mr. DRUMMOND said he would now call the attention of the Court to the 56th section of the Merchant Shipping Act of 1862, which was pertinent with regard to these lists. That section showed what amount of evidence was required by an English Court, and what its value was. The next evidence he wished to call for was the power of attorney given by Mr. Denny, the owner of the *Ocean*, to Captain Brown. He (Mr. Drummond) had given notice to the other side to produce it, but they had not done so. He therefore asked the Court to direct that it should be produced.

Mr. HANNEN said the owner had nothing whatever to do with the case. The application was perfectly irrelevant, and he contended the owner could not be made a party to the suit, because he was not within the jurisdiction of the Court.

The CONSUL said, as the owner had been declared to be without the jurisdiction of the Court, he did not see how he could order the document to be produced.

Mr. HANNEN observed, that if the Consul were to rule that the owner was within the jurisdiction of this Court, he, on behalf of the defendant, would have to take a different course.

The CONSUL said, the present proceedings were against the Captain alone.

Mr. DRUMMOND submitted, whether the owner was a party or not to the suit against the Captain, the authority given to the Captain should be produced. It would be a guide to the Court, as showing the position in which the Captain stood with regard to the ship and also to the owner, before giving judgment on the matter.

The CONSUL said, it might be advantageous to have the document ; but he did not see how he could claim it.

Mr. DRUMMOND asked, that a note should be taken of the refusal to produce it ; and also that the Court declined to enforce its production.

Mr. HANNEN said, the reasons for the refusals must, in that case, also be stated.

Mr. DRUMMOND said, he did not care what was stated, so the fact was noted. That was all he would

say on the case now. The observations he proposed to make at some future time, he had, at the desire of the Court, placed on paper ; and he would either read them now, or at the conclusion of the defendant's case, if it was intended to be carried any further.

The CONSUL said, the defendant being here under protest, possibly might not wish to reply.

Mr. DRUMMOND said, defendant's counsel had cross-examined under protest, and he might call evidence under protest.

Mr. HANNEN (alluding to a formidable collection of law books before Mr. Drummond) said from the appearance of the table, he thought it likely there were several cases to be quoted, and if so, it would be only right that he should hear them before addressing the Court himself.

Mr. DRUMMOND asked if it was intended to call evidence on the other side? If so, he would give them a list of the cases he intended to quote. If not, he would read his paper through now.

Mr. HANNEN replied, that he was not prepared to answer at the moment. There might or there might not be evidence to call.

Mr. DRUMMOND said, he would then go on, and read as follows:—*As to Jurisdiction*:—The Consul is the special person specifically agreed upon to endeavour to effect amicable settlements, or, with the Chinese authorities to decide disputes equitably (Tientsin Treaty, Art. XVII.). Phillimore, Vol. 2, p. 274, cites this clause in the Tientsin Treaty, as an instance of powers of a very extensive character

being given to Consuls. Another such special commission is mentioned in Clause 6 of the Peking Convention, 1860. Consuls cannot enter upon their functions without confirmation of their commission by the Sovereign to whom they are deputed: (Phillimore, Vol. 2, p. 241.) Therefore, it may be argued, that the sanction of the Chinese Government to the appointment of the British Consul at Shanghai, is given upon the ground, amongst others, that he will carry out in its integrity the 17th clause of the Treaty of Tientsin. The Treaty gives no power to substitute any other person for the Consul, who is distinguished by various privileges derived from the treaties, (Phillimore, Vol. 2, p. 245, note 2.) The duty here confided to the Consul can only be transferred by treaty, and the clauses in the Order in Council apparently forbidding the Consul to exercise this power, and then vesting it in the Chief Judge for China and Japan exclusively, can only be regarded as breaches of the treaty, and *ultra vires*, until sanctioned by the Chinese Government. As to the Consul's duty to act under the treaty when the circumstances required his doing so, Wheaton, at page 166, says:—"The nature of consular jurisdiction depends on the treaties," and at p. 329, "A treaty ratified is obligatory on the contracting parties, *independently of the auxiliary measures necessary to carry it into effect.*"

As to the necessity of bringing this case into this Court:—It may be argued that the treaty does not intend to give *ordinary civil jurisdiction*, but

only the settlement of such cases as could not be equitably decided in the Court created by the Order in Council; and the reply to this last argument is as follows :—This is a case which could not be equitably decided in the Supreme Court, because in consequence of a conflict of authority—it could not be tried either in Admiralty or at Common Law. The High Court of Admiralty asserted its jurisdiction, and tried the following cases of claims for compensation for loss of life, under Lord Campbell's Act.—"*The Guldfaxe*" (L. R., 2. A. and E., 325) 24th November, 1868; "*The Beta*" (34 L. J. Ad. 76), 26th July, 1868; "*The Explorer*," (L. R., 3, A. and E., 289), 22nd November, 1870 (*alien*). The case of "*The Beta*" was appealed to the Privy Council in June, 1869, when the jurisdiction of the Admiralty Court was affirmed. (2 L. R., P. C., 447.) Notwithstanding these cases, the Court of Queen's Bench, in the case "Smith *v.* Brown," in July, 1871, decided that the Admiralty Court had *not* the jurisdiction to try such cases, and granted a "*prohibition*" to the Court of Admiralty. The case, therefore, could not be tried in Admiralty. (Read passage in Ad. p. 392.) The only other possible Court is the Common Law side of the Supreme Court : In reference to this Court, it may first be observed, that neither the ship nor the owners could be sued. If a suit for damages had been commenced in the Supreme Court, it must have failed, on the authority of "Armstrong *v.* the L. and Y. Ry. Co.," reported 10, L. R., Q. B., 47, and decided in January last, which shows

distinctly that the passengers in such a case cannot recover by an application of the doctrine of "contributory negligence." There was, therefore, no Court but this one for the complainants to resort to for redress. It becomes now necessary to show that a judgment in favour of the plaintiffs or complainants would be "*equitable*," even on the assumption that the Court finds that, as regards the collision itself, both ships were to blame. Dr. Lushington, in the great case of "*The Milan*," reported in 1 Lushington, p. 388, enters fully into the consideration of the principles bearing upon this matter. At page 400, *et sequitur*, he shows that those persons on board who have had, or have, no control whatever over the management of the ship, ought not in such a case to be barred from recovering, and accordingly he allows "innocent owners of cargo" to recover, though he admits that they could not at Common Law. The decision of the Chief Judge in this very case has followed this course, the decree in the collision suit in Admiralty, allowing the passengers and crew of the S.S. *Fusing* to recover for the loss of their *effects* from the owners of the S.S. *Ocean*; in other words, following the rule in Admiralty and not the rule at Law. Finally, the subsection 9 of clause 25 of the Judicature Act of 1873, is as follows:—"In any case "or proceeding for damages arising out of a collision "between two ships, if both ships shall be found "to be in fault, the rules hitherto in force in the "Court of Admiralty, so far as they have been at "variance with the rules in force in the Courts of

"Common Law, shall prevail." This Act has been passed by Parliament with a suspensory clause, and will come into force in the course of a few months. It will not even then be binding upon this Court, and is cited solely as a guide to an equitable decision, as showing what the law in such a case as this will very soon be in *all* British Courts. It is, therefore, submitted that the Admiralty rule is clearly, in the opinion of the highest and best authorities, the equitable one, and therefore, that the representatives of innocent passengers on board the late S.S. *Fusing*, should recover judgment. *As regards the collision itself*, the cases of "Sills *v.* Brown" (9 Car. & P. 601), and Raisin *v.* Mitchell and Ors." (9 Car. & P. 613), as well as the case of the "*Rona* and the *Ava*," show that the question in a running down case is, "whether the plaintiff by negligence or improper conduct substantially contributed to the occurrence of the injury of which he complains." In this case, it must now be clear to every one that the whole and sole cause of the collision was the *porting of the Ocean's helm*—the model shows exactly how it occurred, and the Admiralty Court found that to be a correct representation.

Mr. WAINEWRIGHT and Mr. HANNEN both objected to this statement.

Mr. DRUMMOND would refer to the testimony of the witnesses for the *Fusing* and the decision of the Admiralty Court, as confirming the accuracy of the model.

Mr. WAINEWRIGHT said the distances represented

in the model had they been founded on fact would have given the *Ocean* a speed of about twenty miles an hour, while the *Fusing* was represented as crawling along.

Mr. HANNEN said what he objected to was the phrase; the Admiralty Court said nothing of the sort mentioned.

The CONSUL said, the model having been the basis on which the evidence was given, it might, perhaps, be so referred to.

Mr. DRUMMOND said it might be looked at in that way; but it must not be forgotten that the Admiralty Court ordered the model to he sent forward into the appeal. He would, however, put it that the Court found that the description of the occurrence as given by the witnesses for the *Fusing* was correct. The speed of the *Fusing* had nothing whatever to do with it (and she was going at a carefully moderated speed at the time, and for hours before the collision); her look-out had nothing whatever to do with it, as whistling was the means of discovering danger, and the whistle was heard all over the ship simultaneously. The *Fusing* having been immediately slowed down to dead slow (as required by the *Rona Ava* case), was not bound to reverse, and would not have been justified in reversing her engines, not being able to see the other ship, and her action in this case in no possible degree contributed to the collision. The evidence given clearly proves that if the *Ocean* had kept her course, as the *Fusing* did, there would never have been a collision at all; in other words, the error

committed in porting the helm of the *Ocean* was the sole cause of the collision. The Nautical Assessor's remark was ; "the collision resulted from the porting of the *Ocean*." This Court must come to a decision as to the collision itself, in order to arrive at a decision upon the question involved in this case. The *Ocean* being found solely to blame, there is no necessity to consider the rules in Admiralty and at Common Law, as all are alike in that case. *As to costs:* —I submit that the decree or decision given should include also a sum for costs, as there is no scale of costs for this Court, and as Captain Brown has refused to make any offer of compensation. *As to security:*—I apply to the Court to arrest the steamship *Ocean*, and hold her, or bail instead, until judgment is given, as security for payment of the judgment, if in favour of complainants. The English Court has done this for the owner of the steamship *Fusing* and the cargo, and the representatives of the passengers naturally expect the same protection. Article XXII. of the Tientsin Treaty says :—"The British authorities will likewise do their utmost to bring to justice any British subject failing to discharge debts incurred by him to a Chinese subject." The judgment of this Court will, of course be a debt, and the Court must take the responsibility of allowing the security for payment to be sent away, *as the Treaty is obligatory, whether the Government have provided the necessary machinery or not.* I apply for judgment for such a sum as the Court thinks proper *against both the owners of the steamship* Ocean *and*

the Captain, and for the detention of the ship herself until payment. The ship herself is the actual instrument which caused the deaths ; she is trading out here for the benefit of her owners, who has a captain in command of her, authorized in the fullest manner to sell the ship even, and to defend suits on behalf of the owner, as he has already done in the Admiralty Court; and there is no more hardship in the judgment of this Court being against the owner, and the ship held till he pays it, than there is in the Admiralty Court doing the same thing. If it is "*equitable*" in the one, it is "*equitable*" in the other, and this is what the Treaty demands of this Court. With these observations I leave the case in the hands of the Court.

Mr. HANNEN then asked for an adjournment until Monday.

The CONSUL.—Have you any evidence to produce?

Mr. HANNEN.—That is what we have now to consider. The case for the plaintiff has been finished much earlier than we thought it would have been. If we have a day to consider the question, we might possibly not call any evidence, and it would probably be a saving of time in the end.

Mr DRUMMOND offered no objection, and

The CONSUL granted the adjournment asked for.

The Court then rose.

July 13th.

Mr. DRUMMOND, in resuming this case, said he had first to ask permission of the Court to put in the

model (produced) referred to on the last occasion, and also in the Admiralty suit. He had also had copies of two documents placed in his hands this morning, with instructions to present them to the Court as part of the plaintiff's case. He presumed they would be accepted as correct copies of the originals. The first was a translation of a letter from the Taotai to the Consul, dated the 10th instant, and the other was a letter from the Consul to the Taotai, bearing the same date, but not received until the 12th instant.

The Consul.—How did you get them ?

Mr. Drummond.—They were handed to me this morning.

The Consul.—But they are not authenticated.

Mr. Drummond.—I received them from Mr. Tong-king-sing, and perhaps I had better read them, and then put him in the box to speak about them.

The Consul.—If you put in those letters at all, I should prefer the production of the originals to translations, and that the interpreter be called to read them.

Mr. Cooper, Consular interpreter, then produced the original draft of the Consul's letter, saying the Taotai's letter had not yet been translated.

Later in the day, a translation was supplied as follows:—

"10*th July*, 1875.

"Feng, Taotai, to Mr. Consul Medhurst, in official communication.

"I have this day received a letter from the China

Merchants' Steam Navigation Company, which is as follows:—

"With regard to the loss of life occasioned by the collision of the steamer *Ocean* with the *Fusing*, though the question of compensation to the relatives of those drowned came before you and H. B. M. Consul yesterday, it was not disposed of. We now learn that the Customs' clearance has been granted, and that the *Ocean* is about to leave. We would represent to you that the claim that has been made for over Tls. 60,000 is not yet satisfied. The representatives of the families of those that were drowned are continually coming to our office bitterly complaining. The vessel should not be allowed to depart, and therefore we now address you, requesting you will communicate with the Consul, so that he may repossess himself of her papers, and detain her as a pledge, whereby payment of the compensation may be secured.'

"The case is one very seriously affecting Chinese and foreigners. Though it has received a second hearing, it has not to the present been settled. Permission has been given to the *Ocean* to leave the port, without, as far as I, the Taotai, know, any bail for the payment of the compensation having been given. If she now be allowed to proceed on her voyage, what security shall we have for the payment of those damages that may be awarded? Under these circumstances, I request you will take immediate steps to arrest the vessel, so that we may be enabled to deal with the case.

"A necessary communication."

The CONSUL's letter ran as follows:—

"To the Taotai FENG, &c. &c. &c.

"B. C., S. 10*th July*, 1875.

"SIR,—Referring to the claims preferred by the representatives of the officials and others, whose lives were lost in the collision between the steamers *Ocean* and *Fusing*, I have, as you are aware, repeatedly advised you that my powers would be limited to an investigation of the case as far as concerned the master of the *Ocean* personally. The ship was accordingly sued before the Supreme Court, where substantial damages have been recovered, and it was arranged that a conjoint investigation should be held before yourself and me under the 17th Art. of the Treaty, in order to determine equitably the liability or otherwise of the master to make compensation for the lives lost. This investigation has now occupied us two days, and although the counsel for the representatives of the deceased has repeatedly claimed to hold the ship and her owner responsible as well as the captain, it has been distinctly declared by me at each sitting that my authority could not be exercised so as to extend further than over the master himself. At the close of yesterday's sitting, you again urged upon me the importance of retaining the ship pending the determination of the point at issue, and I once more pleaded my inability to comply with your requisition.

"This morning the agents for the *Ocean* applied for her papers in the usual way, and they were

delivered up accordingly; but you need not be under any apprehension on this account, that I do not recognise the obligation to pursue the investigation (as regards the master) to the utmost extent of my authority. I consequently write this letter, advising you of what I have done.

"I have, &c."

Mr. DRUMMOND.—I now ask that Mr. Cooper shall be put in the witness-box, to testify to the letters in the form of evidence.

Mr. COOPER, sworn, deposed—I am interpreter in H.B.M.'s Consulate. I produce the original letter received by the Consul from the Taotai on the 10th instant, requesting the Consul to recover the papers of the *Ocean* after clearing, and to detain the ship. I also produce the original draft of the Consul's letter of the same date. This letter was not written in reply to the Taotai's. It was written before the Taotai's letter was received. A note accompanied the Consul's letter to say so. I do not know that the *Ocean* is beyond the jurisdiction of this Court.

The CONSUL (to Mr. Drummond).—Mr Cooper knows nothing about shipping matters at the Consulate. You can have the evidence of the shipping clerk if you like.

Mr. DRUMMOND.—I do not think it necessary to take evidence on an admitted fact, that everybody knows of. If the Court would say the *Ocean* is gone—

The CONSUL.—Yes, she is gone, there is no doubt about it, and has received her papers.

Mr. DRUMMOND.—Very well, then, the two letters are in, and the fact that the *Ocean* has left is admitted. All I have to say in addition is, that I am instructed by the plaintiffs to say that the *Ocean* having left the port, and there being no security for the payment of their claims, they will hold the British Government responsible for payment of the amount, whatever it may be.

The CONSUL.—In fact they hold me responsible.

Mr. HANNEN.—This seems to be so very important that I imagine a note will be taken of it.

Mr. DRUMMOND.—I have nothing more to say.

Mr. HANNEN then rose to reply.—We have appeared here, sir, and Captain Brown has appeared here, only out of respect to you. Solely out of that respect to you have we sat here and watched the case. We are now called upon to answer, and our answer is that we deny your jurisdiction, and that we decline to go into any kind of evidence before a Court which we do not acknowledge.

The Court then adjourned till the afternoon for consideration. Upon resuming,

The CONSUL said, we have taken great trouble to come to a decision in this matter, and this is the decision we have arrived at :—

We consider that the loss of life which unquestionably occurred was caused by the bad navigation of the *Ocean* by her master. Whether the *Fusing* contributed to the accident or not, is not material to our judgment in this cause ; as we are not engaged in trying that question. But we think that the evidence

shows that both vessels were to blame. Both being to blame does not relieve the responsibility of either, and as we are considering only the liability of the master of the *Ocean*, we find him to blame, and being blameable, liable.

If, as against *innocent* owners of ships, the measure of damage by English Law is limited to £15. per ton in cases similar to this, we think that such at least should be the measure of liability as against the master, whom we find to be the party *actually* in fault. But considering that of this liability to £15. per ton, £8. is intended to be in respect of loss of ship and goods, and that only £7. is applicable to indemnify for loss of life, we take this sum as the limit of the master's liability. But as we are bound to decide "equitably," and are not sure to what extent those on board the *Fusing* contributed to the collision by their carelessness, we consider that the master of the *Ocean* might at least be held liable to the extent of £3. 10*s* per ton on the gross tonnage of the ship.

We merely refer to the limitation fixed by English law as a basis to assist us in arriving at a just estimate of liability. *We are satisfied from the evidence that the damage sustained by the relatives by reason of the loss of life of those drowned is far greater than this sum.* We are further of opinion that the evidence given as to their identity, is, under the circumstances, sufficient.

Our decision, therefore, against the Master of the *Ocean* is, that he is liable in respect of his negligence

to what is actually necessary to make good the damages sustained by the families concerned, taking their several circumstances into consideration, namely, Tls. 300 per family as regards the officials, and Tls. 100 as regards the servants and crew—and we consequently adjudge the master of the *Ocean* to indemnify the several families at this rate. We further decide that each party shall bear their own costs.

(Signed) W. H. MEDHURST,
Consul.

(Signed) FENG, Taotai.

Mr. DRUMMOND.—Would it not be as well to put in the judgment the actual sum to be divided between the passengers and crews?

The CONSUL.—It will be easy to fix the sum. There were 62 drowned : 24 officials, and 38 other passengers and crew.

Mr. WAINEWRIGHT.—But there are some of those people not represented in Court. Are they to be included ?

The CONSUL.—We have decided upon the lists as presented.

Mr. WAINEWRIGHT.—But who is to have the money for those who are not represented?

The CONSUL.—You will remember the Taotai said they were bound to find representatives for all these people, and indemnify them.

Mr. DRUMMOND.—It will remove any further question if the sum is mentioned.

The COURT.—It is merely a matter of calculation.

Mr. TONG-KING-SING, who had meanwhile been working out the sum, now said it was Tls. 11,000 exactly.

Mr. DRUMMOND.—If you will have it put in the judgment, it will save further trouble.

No formal reply was given, and the Court rose.

NOTE.—After the conclusion of the case the Consul informed the Petitioners that as the British Government had not provided him with the necessary powers, and directions as to procedure, he was unable to enforce his judgment and could do nothing further! The Petitioners consequently have never received a farthing of the "Compensation" awarded by the British Consul's judgment.

APPENDIX A.

CORRESPONDENCE PUBLISHED IN "THE TIMES."

From "The Times" of October 5th, 1876.

THE WOOSUNG RAILWAY.

TO THE EDITOR OF THE TIMES.

SIR,—The letter from your Correspondent in China, dated August 12, which you published on Monday, and other advices from China, show how imminent is the danger of a very serious collision between Chinese and foreigners, the cause of quarrel being the Woosung Railway. Since the date of these advices we have learnt by telegraph of the settlement of the long-standing "Yunnan question," and this great danger being removed the probability of a collision upon the railway question, in which the Chinese have an unanswerable case, is much increased. Few persons in England have any knowledge of the facts relating to the railway in question, and on the two grounds I have mentioned I feel impelled to ask your insertion of this letter. You would certainly refuse to grant me space for a full, true, and particular history of the present "Woosung Road Company," and I will, therefore, state briefly some of the chief points in the case, the gravity of which I think you will admit, and leave those interested in the undertaking to disprove them if they can.

The land upon which the railway is made is, with the exception perhaps of a very small quantity at the Shanghai

Terminus, outside the limits of the Foreign Concessions at Shanghai, and within the body of the Chinese Empire. A carriage road had formerly existed between Shanghai and Woosung, which had disappeared through disuse and neglect, and the consent of the Chinese local official, the Taotai of Shanghai, was granted when the new project was started for a carriage road simply.

The intention to make a railroad was concealed as long as possible, and even the title of the present Company is "The Woosung Road Company (Limited)," a strange title indeed for a railway company.

The intention to make a railroad was discovered by the Chinese officials before the whole of the titles for the various plots of ground had been passed through the Chinese office in the usual way, and they naturally refused to pass any more, complaining of the deception practised. The title to a considerable portion of the land occupied by the railway works is still incomplete. It is, perhaps, hardly necessary to add the remark that when aliens purchase land in a foreign country they become in respect of such property subject to the laws of the country in which it is situated.

The rights and privileges of the neighbouring peasantry and landowners have been very seriously interfered with, and no attempt at compensation has been made. Highways have been stopped up, waterways filled in, and, in some instances, bridged over by low bridges impeding boat traffic, and this for nine miles in a densely populated district where paths and creeks are innumerable.

There is not a word about railways in any existing Treaty or Convention between Great Britain and China, and nothing that could by any ingenuity be twisted into a sanction by the Chinese Government of any such undertakings within the Empire of China.

The Chinese official already mentioned has, by the peremptory orders of his Government, repeatedly protested

to the British Consul at Shanghai against his support of the undertaking, but without effect; he has then in despair threatened to use force to stop it, and been told that if he did so the officers in command of the gunboats at the port would be immediately called upon: and to an official despatch (a translation of which, printed in a Shanghai newspaper, I enclose), setting forth the grounds of his remonstrance, he had up to a recent date received no reply.

The Chinese Government has, according to its usual custom in such cases, thrown upon the local officials, the Taotai of Shanghai and the Viceroy of Nankin, the whole burden of settling the matter, and they are well aware that their prospects will be irretrievably ruined if they do not soon succeed. The British Minister in China has long been aware of the matter, and in the early part of this year sent down a special Envoy, the Chinese Secretary of Legation, to endeavour to effect a settlement. Apparently aware of the weakness of the case, the instructions given to him by the Minister were to endeavour to induce the Taotai to buy up the railway. The Taotai strongly remonstrated against the injustice of being called upon to do so, but, feeling himself so helpless in the dilemma, was willing to buy up the railway for what it had cost, on the sole consideration that when the money was paid the whole property should be at once unconditionally made over to him; but the firm representing the Company refused to sell at any price, unless the Taotai bound himself to continue to run the railway and to appoint them as his agents for a term of years for the management of it. It is hardly necessary to add that this was indignantly refused, and thus the attempt at a settlement fell through.

Since that time the railway has been rapidly pushed forward, and a few months ago was formally opened. At the opening festival the British Consul at Shanghai took a leading part, but the British Minister, though then staying

as a guest in the house of the agents of the Company, did not attend. Trains have been running regularly over the four miles opened from Shangai to Kungwan, and, while the local peasantry and others at Shangai have evinced the ignorant curiosity that would be found in any other country in such a case, the official opposition that would also be found in such a case in any other country has never ceased, and is now greatly embittered by the flagrant injustice.

The state of tension caused by the still graver matter of the Yunnan affair, in which the Chinese Government occupied a very different position, has caused this matter to remain, to some extent, in abeyance; but it is likely now to come prominently forward and constitute a very serious and imminent danger to peace and goodwill between the two countries.

Grave responsibility rests upon the British Minister in China if he has failed to keep the Government of this country fully informed upon this matter, or upon the Government if, with full knowledge of the facts, they have sanctioned and approved his proceedings. Nearly every mail now brings news of riots and disturbances in connexion with the railway. The station at Kungwan has been almost destroyed by a mob, and a man has already been killed by a train.

I remain, Sir, your obedient servant,

London. JUSTUM.

From "The Times" of October 12th, 1876.

THE WOOSUNG RAILWAY.

TO THE EDITOR OF THE TIMES.

SIR,—As the authors of the scheme under which the "Woosung Road" was eventually carried out as the "Woosung Railway," we accept your correspondent

"Justum's" challenge to give the explanation which he requests.

First of all, we beg to say that "the letter of your correspondent in China, dated August 12, does not show how imminent is the danger of a very serious collision between Chinese and foreigners, the cause of quarrel being the Woosung Railway." The letter in question says that a poor man had committed suicide on the line, that the fancy traffic was falling off, but the real practical working traffic was increasing, and that the people are delighted with it, but the Viceroy of Nankin is said to view the Railway with great dislike.

It is really too ridiculous to suppose that men who have subscribed large sums for a given object should court failure by such carelessness as your correspondent "Justum" seeks to impute. He is evidently not aware that the British Minister has throughout been well informed of all matters connected with the progress of the Railway, and has given it his cordial, though, of course, unofficial, co-operation; and that, at his suggestion, the directors had decided to stop running the trains pending the negotiations respecting the Yunnan affair.

It is certain that the existence of the Railway largely assisted in impressing the Chinese mind with the inexorable fact that Western ideas must prevail—an influence unexpressed, perhaps unsuspected, but not the less real. The opening of more ports as one feature of the settlement shows this influence very clearly.

This act of forbearance on the directors' part is also bearing good fruit for the Railway itself, and telegrams have been received which indicate the probable opening of the entire line in a few days as the result of the negotiations officially commenced.

The allegations as to interfering with the rights of the peasantry and landowners are sufficiently answered by the

enormous prices paid for compensation, the land having cost upwards of £200. an acre—probably five times its real value—for agricultural purposes, and by the fact that no railway in England was ever made with so few disputes of any kind. As to the "stopping up of highways," or rather of foot-paths, these are all kept open, and properly protected, as level crossings are in England, but with greater care. All navigable creeks have been similarly cared for.

The opposition of the Taotai arises from a fear of any reproof from his Government, which, as is well known, always reserves its own opinion, so that it may always be able to claim the Oriental right of being "wise after the event" in anything that might occur. As a private individual he would be as favourable to the Railway as the people are. Of the general favour with which the Railway is received, we have abundant evidence in the letters received every week from the chief engineer, Mr. G. J. Morrison, and others—in fact, no railway could be more unreservedly welcomed by the population than this one has been by the Chinese. We have had none of the English devices of laying sleepers across the metals, or throwing stones at the trains. The damage done to the Kungwan station arose simply from a dispute between two hasty-tempered men, and, as is stated most clearly by your Shanghai correspondent, had nothing to do with any hostility to the railway. The chief engineer writes that both on that day and on all other days he has been alone in Chinese crowds, and that he and his assistants have always been treated not only with the most perfect respect and civility but with hearty goodwill and friendship.

As to the poor man who was killed, we have a letter before us from the English driver who had the misfortune to run over him, and the evidence of all the witnesses shows clearly that the man committed suicide. While on this subject we may remark, by the way, that the Chinese are

already so apt at their work that, on the occasion in question, the native fireman and guard stopped the train in a manner which would have done credit to experienced English servants.

As to the Taotai being willing to buy up the line and destroy it, we can only say that such an act of vandalism, if proposed, would, of course, be strenuously resisted, seeing that the great bulk of the subscribers had given their money not so much for the sake of profit as for the sake of the beneficial results both to England and to China likely to arise from a line of railway open for traffic.

It is well known to you, Sir, that for twenty years there have been various propositions for making a beginning of railways in China. The beginning has now been made by the Woosung Road Company quietly, peaceably, and successfully. The land has been purchased, and all the arrangements have been successfully made by men who deserve every credit for their public spirited enterprise; and as they are resident on the spot and well acquainted with all matters Chinese, they are not likely to fall into any of the blunders which "Justum" seems to desire.

We are, Sir, your obedient servants,

RANSOMES AND RAPIER.

5, Westminster Chambers.

From "The Times" of October 18th, 1876.

THE WOOSUNG RAILWAY.

"Justum," in reply to the letter we published on Thursday from Messrs. Ransomes and Rapier, in answer to "Justum's" previous letter, writes:—1. My gravest charge against the undertaking was the concealment of the real intention, and the fact that no official consent had ever been obtained for a railway, but only for a common roadway. Messrs. Ransomes and Rapier call themselves 'the authors

of the scheme under which the Woosung road was eventually carried out as the Woosung Railway,' and do not attempt a word of denial of the charge I made. The entire absence of any kind of sanction by the Government of the country in which it is made is what makes the railway so utterly illegal. No denial is given or attempted of my further statements—2. That the line itself is in Chinese territory. 3. That the titles to a considerable portion are incomplete. 4. That the Taotai has protested against the railway over and over again, and used every effort short of actual force to stop it, by the peremptory orders of his own Government. 5. That the Taotai offered to buy up the railway for what it had cost, and that this was refused by the agents in China, Messrs. Jardine, Mattheson, and Co., because he would not bind himself to work the railway for a term of years, and appoint them as his agents for the management of the line. 6. That no sanction can be extracted by any ingenuity from any Treaty or Convention between Great Britain and China. An attempt is made to show that compensation to the neighbouring peasantry has been liberally paid because the land cost upwards of £200. an acre. If £1000. an acre had been paid to the fortunate owners of the actual land on which the railway is built it would be no compensation to the neighbouring peasantry, whose rights and privileges have been so greatly interfered with. In England these rights would be dealt with by an Act of the Legislature, to which the persons whose interests were affected would have to bow, but the Woosung Railway has no such sanction to point to, and, therefore, compensation to all whose interests are affected is strictly due. Messrs. Ransomes and Rapier say that I am evidently not aware that the British Minister has throughout been well informed of all matters connected with the progress of the railway, and 'has given it his cordial though of course unofficial co-operation,' and thereby simply endorse the correctness of my statement that 'the British

Minister has long been aware of the matter.' When a British Consul, acting under instructions from the Minister, threatens 'gunboats' if the railway is touched or forcibly interfered with, I fully admit that the 'co-operation' with the Company is 'cordial,' though I am not quite prepared to admit that it is 'unofficial.' It is urged that the existence of the railway assisted the British Minister in 'impressing the Chinese mind with the inexorable fact that Western ideas must prevail, an influence unexpressed, perhaps unsuspected, but not the less real.' Now, unfortunately for this theory your correspondent tells us, and other sources of information agree with him, that the stoppage of traffic at the critical moment had exactly the opposite effect. The traffic was stopped by Sir Thomas Wade just before the final settlement of the Yunnan question, and the probable solution of the real reason for the step is contained in the old maxim that 'he who seeks equity must do equity;' or, as it is often expressed, 'he who goes into equity must have clean hands.' As to the danger of a serious collision between the Chinese and foreigners, I repeat that it is great and pressing. The last newspapers from Shanghai were full of statements about the Chinese troops 'surrounding Shanghai,' and the increasing signs of ill-will. A proposal had even been made that the Volunteers should practise throwing up barricades in the streets. I wish to draw serious attention to the subject before any actual conflict occurs, because the British name and power have been lent to an indefensible scheme, and if the railway were attacked and destroyed to-morrow we should as a nation have no right whatever to interfere in any way. I repeat also my statements as to the stopping-up of foot-paths and roads for wheelbarrow traffic, and creeks for boat traffic, and I prefer the evidence of my own eyes to Messrs. Ransome and Rapier's statements. The Chinese Government may possibly yield to the 'inexorable facts' at Sir Thomas Wade's

disposal, but the injustice is thoroughly well known and understood by them."

"Resident" writes:—"Your readers must be well aware that the construction of a railroad in China is the exclusive right of the Government, and should not be proceeded with unless a concession has been first obtained. The Woosung Road Company petitioned for the power to make an ordinary carriage road; quietly the road was made, and a railway is the result."

From "The Times" of October 21st, 1876.

THE WOOSUNG RAILWAY.

TO THE EDITOR OF THE TIMES.

SIR,—In reply to the second letter of "Justum," will you allow me, as a director and shareholder in the Woosung Railway, and an old Shanghai resident, to answer the serious accusations he brings against those who have initiated this undertaking?

I take the complaints *seriatim*.

1. When the Company was formed it was more than doubtful whether money could be found to construct a railway.

The Articles of Association state that "the objects for which the Company is established are to construct a line of road, tramway, or railroad between Shanghai, Woosung, and Paoushun, in China, and to work the same by animal, steam, or other power." Thus the more modest title of Woosung Road Company is explained.

Though rails have been laid down and a couple of engines imported, the whole undertaking is on the smallest scale compatible with showing a railway working: and far from being calculated to injure the peasantry, or to outrage the official class of natives, as the tenor of "Justum's" remarks might lead one to suppose, it was designed to give in the most unobtrusive way possible a practical demonstration of

the system of locomotion that must eventually prevail in China in common with all other countries.

It is true that no formal sanction was asked or obtained for the laying of rails on the land which had been purchased and paid for by the Company; but information, at the command of the promoters, led them to believe that the little enterprise would be tacitly allowed by the Chinese authorities, who had previously, at Tientsin, evinced the greatest interest in, and had accorded a most favourable reception to, a traction engine imported there three or four years before at the expense of a few public-spirited Shanghai merchants.

The telegraph was carried to Shanghai in the same way, though formal sanction was in that case previously sought; but after much negotiation at Pekin, the utmost that the Chinese Government would accord was permission to have the end of the cable attached to a lightship fifty miles from the port. I must plead guilty to having on this occasion quietly arranged with the petty local officials to erect the telegraph posts and allow the wires to be brought to Shanghai; they did it in fear and trembling, but the Government never interfered, and one of the results is to put at least two millions sterling extra this year into the pockets of their countrymen who deal in silk, by enabling them quickly to receive news of the failure of the European crop and secure an enormous advance in price.

2 and 3. I admit the line is in Chinese territory, but so is the settlement of Shanghai, and so are the carriage roads in the surrounding country, aggregating in length far more than the Woosung Road. These have been made by Europeans without any sanction of the Pekin Government, and the Treaty with China does not authorize them. The Woosung Road Company's land is all formally registered through the British Consulate, and the Chinese Government regularly collects its land-tax upon it from the Company's

agents, so that the title is quite sufficiently secure; in addition to which the Company holds the Taoutae's "Chop" for the greater portion, though not for the whole, of the land. I have myself held some land at Shanghai for many years by simple deed from the seller, without any Government registration at all. The treaty, I believe, only provides for registration of land in the Settlement.

4. "Justum" says the present Taoutae has protested against the railway over and over again, and offered to buy it up, that injustice has been done to the peasantry, that the railway is causing danger of a serious collision between Chinese and foreigners, and that the British Consul at Shanghai, acting under instructions from our Minister, has threatened 'gunboats' if the railway is interfered with.

In reply to this, I can only say that the directors know of no such threats, or of any threats at all having been used. They were always given to understand the Taoutae, who was in office when the railway was begun, was unofficially favourable to it as a railway, just as the *employés* of the Chinese Government were favourable to the landing of the telegraph cable at Woosung, and gave covert yet active aid to it.

A most competent engineer was sent from England to see that the line was made in a proper manner, and that no injustice was done to the peasantry, whose goodwill (taking the lowest view of the matter) it was most important for the Company to secure, as from them the Company's income would be chiefly derived.

Speaking for myself alone, I can conscientiously declare I did not share in this enterprise from a prospect of gain, but mainly from a wish to see railways introduced into China for the benefit of a people possessing many good qualities, and among whom I have spent a large portion of my life. This motive, I believe, also actuated many of the other shareholders. Thus I should be perfectly willing to

allow the Government to take over this railway at cost price if they will work it; but I am not prepared in any way to favour such an act of barbarism as ploughing up the line.

I have not the slightest apprehension of this peaceful and beneficial undertaking leading to hostilities as "Justum" fears. Were it so, I would willingly sacrifice every shilling I have invested in it rather than participate in bringing the miseries of another war on this comparatively defenceless people. Meanwhile, I prefer relying on the last received telegram, which gives every reason to expect that Sir Thomas Wade will succeed in arranging the matter amicably. Yours faithfully,

Croydon, Oct. 20. THOMAS HANBURY.

From the "Times" of Oct. 24th, 1876.

RAILWAYS IN CHINA.

TO THE EDITOR OF THE TIMES.

Sir,—In the controversy between "Justum" and Mr. Hanbury on the subject of the Woosung Railway the most important fallacy of which the directors of the Company have been guilty has, as it appears to me, been entirely overlooked.

The directors have throughout assumed, and Mr. Hanbury in his letter to you this morning implies the assumption, that the objections of the Chinese Government to the introduction of railways arise from its ignorance of the advantages to be derived from their adoption. But this, while crediting the officials with a want of intelligence of which they cannot be rightfully accused, entirely misrepresents the true ground of the hostile policy of the Government. Ever since the establishment of the Foreign Legations at Pekin the Emperor's advisers have repeatedly had full and accurate information on all subjects connected with railways

laid before them. Drawings and models of locomotives have been prepared for their benefit, and the railway experiences of every country, Japan included, have been placed at their disposal. In addition to this, one prominent member of the Tsung-le-Yamên, Chung How has been whisked through the departments of France and the counties of England at the rate of 40 or 50 miles an hour, and has thus been able to judge by personal experience of the conveniences of railway travelling as compared with locomotion in the carts and sedan-chairs of his native country, while a number of minor Mandarins and a host of non-officials have of late years gained similar experiences in Europe and America.

The true objection of the governing classes to the introduction of railways does not, then, arise from ignorance, but from a distrust of the real object which foreigners, and especially Englishmen, have in urging the innovation upon them. The fate of India is a nightmare which is constantly haunting them, and to avoid a similar absorption is the ruling motive of their policy. Seen from this standpoint, the appearance of English engineers measuring out the length and breadth of the land, hollowing out mountains, and spanning rivers would seem to them to be but a foreshadowing of the arrival of English Governors and Viceroys, and the completion of a network of railways worked and partly or entirely owned by Englishmen would in their eyes be equivalent to handing over the destinies of the Empire to the hated foreigner.

The whole policy of the Government officials in connexion with railways, steamers, and telegraphs entirely confirms this view. They have no sort of objection to steamers as long as they do not advance too far into the interior of the country, and they employ them freely to transport grain and as means of defence. They were willing, as Mr. Hanbury says, that a submarine telegraph should be laid from port to port as long as the ends even were not brought on shore,

and they saw with perfect equanimity a harmless traction engine puffing along the native roads in the neighbourhood of the foreign settlement at Tien-tsin.

Steam, being perfectly understood, has no terror for them, and its employment on railways enters into their programme for that good time coming when China shall be strong enough to hold her own against all comers, when native engineers shall be found equal to the task of constructing lines and locomotives, and when Chinese capital shall out of its abundance supply the necessary dollars for the undertaking.

I am, Sir, your obedient servant,

October 21. ROBERT K. DOUGLAS.

From "The Times" of Oct. 26th, 1876.

THE WOOSUNG RAILWAY.

TO THE EDITOR OF THE TIMES.

Sir,—As the contractor for the building and equipment of the Woosung Railway, perhaps you will spare me space for a few words of remark on the correspondence in connexion with it which has appeared recently in your columns.

I have been, as you may suppose, well advised of the various objections raised to the completion of the enterprise. A contractor usually finds the brunt of these obstacles and difficulties fall upon himself. Let me, then, assure you that nine-tenths of these objections have not been raised either by the Chinese Government or people. The Chinese Government, it is true, have not as yet fostered or encouraged railway development, but they have made a beginning — they have sent commissions of inquiry, who have made reports, and these commissioners have seen in Europe what railways have done for European progress.

Can you doubt the recommendations of these reports? The objectors to our small undertaking are the talkative politicians and that large class in China who are vexed and disappointed that the work has been begun and is likely to lead to good results without their being participators. Take, for instance, your correspondent Mr. Robert K. Douglas. He informs us that railway development in China must wait "for that 'good time coming' when China shall be strong enough to hold her own against all comers, when native engineers shall be found equal to the task of constructing lines and locomotives, and when Chinese capital shall out of its abundance supply the necessary dollars for the undertaking." Of course, your correspondent means all this seriously, and not by way of a joke, but if we have to wait till that "good time" comes, we had better give up at once.

What we have done is this:—A good roadway to Woosung was found to be a necessity, and we obtained powers to make one. We have made an excellent road, or, at least, it will be when completed, and upon that roadway we have placed small rails and a diminutive locomotive, with some waggons and carriages. The railway is really but a model, after all; it is but 2 ft. 6 in. gauge, and, though small, is yet sufficient to accommodate the merchandise and passenger traffic between the two points.

There is no doubt we have strained a point to show the Chinese people a railway in operation, and those on the spot have been highly gratified by the experiment, and evinced the greatest interest in its completion and future prosperity.

The Government officials in the locality have been friendly but cautious, being naturally on their guard in presence of an innovation; but there is no doubt the work will be permitted to proceed, and it is my earnest belief that before many years have passed the Chinese Government will have ordered very extensive lines to be made, and will not be

disinclined to be grateful to those who have been the humble pioneers of the railway system in China.

Yours obediently,

1, Laurence Pountney Hill, London. JOHN DIXON.

APPENDIX B.

Reprinted from "The Celestial Empire," Shanghai, 23rd November, 1876.

ARTICLES OF AGREEMENT RELATING TO THE WOOSUNG RAILWAY.

The undersigned William Frederick Mayers, Chinese Secretary of Her Britannic Majesty's Legation at Peking on the one part; and Fêng, Intendant of the Su-Sung-T'ai Circuit, Superintendent of Customs at Shanghai; Chu, invested by brevet with the third official rank, an expectant Tao-t'ai on the staff of the province of Hupeh; and Shêng, invested by brevet with the title of Financial Commissioner, an expectant Tao-t'ai on the immediate list for appointment in the province of Chihli, on the other part; have agreed to the following Articles with reference to the line of Railway between Shanghai and Woosung:—

The text of the present agreement having been compared and found correct, the course of procedure to be pursued is now set forth in the following Articles:—

I.—Whereas, in the matter of the Railway, in the personal conference held at Chefoo between the High Commissioner Li and the British Minister, Sir Thomas Wade, on the subject of securing the Chinese rights of sovereignty, it was mutually arranged that [the undersigned] Chu, Tao-t'ai and [the undersigned] Shêng, Tao-t'ai, should be

appointed to act in conjunction with [the undersigned] W. J. Mayers, Chinese Secretary [of Her Britannic Majesty's Legation] for the purpose of arranging, in conference with [the undersigned] Tao-t'ai of Shanghai, the terms of an agreement in the nature of a compromise, the following Articles have now been agreed to by mutual consent in the city of Nanking, and have been submitted to and approved by the Minister-Superintendent of the Southern Ports.

In testimony whereof the said Articles have been signed in duplicate, one copy to be retained on either side, the same to be submitted, on the one hand, by [the undersigned] Tao-t'ai of Shanghai, &c., to the Minister-Superintendent of the Northern Ports and the Governor of the province of Kiangsu for their approval, and on the other by [the undersigned] W. F. Mayers to Sir Thomas Wade for approval on his part.

II.—It is arranged that the Railway shall become the property of the Chinese Government by absolute purchase, and that after the land taken up, the permanent way, rolling stock, machinery, and other material appertaining thereunto, shall have by this means passed into the possession of the Chinese Government, the Foreign Mercantile Company, under whose management the Railway has heretofore been conducted, shall cease from further interest or liability in respect of the same.

III.—The amount which shall be paid for the land, permanent way, rolling stock, machinery, stations, and all other claims whatsoever, shall be ascertained by an investigation of accounts in detail, for which purpose Her Britannic Majesty's Consul and the Tao-t'ai of Shanghai shall each nominate two merchants of proper standing and respectability, and the amount as thus ascertained shall be paid by the Chinese Government, no unfair advantage being taken on either side. It is at the same time provided that due allowance shall be made for depreciation, according to the

usage of public companies in England, in consequence of the active working of the line for the period of one year.

IV.—The purchase money shall be paid in three instalments, one third to be paid so soon as the total amount payable shall have been ascertained, whereupon the title-deeds for land now held by the Railway Company shall be given up and lodged in the hands of the Tao-t'ai of Shanghai;* one-third at the expiry of six months from the first payment, and the remaining third at the expiry of one year from the first aforesaid date, the Tao-t'ai of Shanghai giving notice officially to H.B.M. Consul to require the said Company to take the necessary steps for receiving payment.

V.—At the expiry of the twelve months commencing with the 15th day of the 9th moon of the 2nd year of Kuang-sü (corresponding to the 31st October, 1876), to wit, on the 15th day of the 9th moon of the 3rd year of Kuang-sü (corresponding to the 21st October, 1877), the aforesaid purchase having been completed by the Chinese Government, and all amounts due on account of the purchase money having been paid in full, a due account shall be taken of the land, permanent way, rolling stock, and other appurtenances of the Railway, and the same shall be handed over to the care and control of the Chinese Government, at whose option it shall be, exclusively, to continue or desist from the working of the line, without claim to interference on the part of the foreign Company heretofore concerned in the same. The purchase money not being paid in full by the Chinese Government until the expiry of the period of one year, the aforesaid Company shall be free, for the space of one year from the 31st October, 1876, to conduct the working of the line without pecuniary interest or liability in respect of the

* *Note.*—It is separately agreed that instead of being deposited with the Tao-t'ai of Shanghai, the title-deeds in question shall be lodged provisionally in the hands of H. B. M. Consul until the purchase shall be complete.

same on the part of the Chinese Government. All regulations required to ensure protection shall be devised in concert between H.B.M. Consul and the Tao-t'ai of Shanghai, and, when drawn up and agreed upon, shall be implicitly obeyed.

VI.—During the period of one year for which, pending the completion of the payment due on the part of the Chinese Government, the Company aforesaid is at liberty to retain in its own hands the management of the railway line now completed between Woosung and Shanghai, extending to a distance of about thirty *li* (ten miles) from point to point, the said Company shall be authorized to run trains for the conveyance of passengers only, but it is forbidden to infringe upon the Customs' regulations or to acquire additional land for farther extension of the line of Railway.

VII.—An amount of compensation shall be agreed upon, as may be found suitable, and paid on account of the individual who was recently run over and killed by an engine on the line.

VIII.—The general outline of the terms of arrangement being now fixed, and admitting of no farther modification, all correspondence on the subject that may heretofore have passed between the Tao-t'ai at Shanghai and H.B.M. Consul shall be cancelled on either side, and no farther contention shall take place with regard to the same.

IX.—The course of action herein agreed to proceeds from the feelings of amity and goodwill which prevail between the Governments [of the undersigned respectively], for the purpose of securing against infringement the sovereign rights of the Government of China, and with the view of equally ensuring a benefit to the Chinese Government and freedom from loss to the foreign merchants, to which end the Chinese Government [has agreed], as a special concession, to buy up the line of railway. In any future case, in which it may be desired to construct a railway, or other

similar works, application shall, in the first instance, be made for the sanction of the Chinese Government, and the present arrangement shall not be construed into a precedent.

X.—Account shall be taken of the terms of the contracts entered into in England with the skilled artificers employed on the railway-line and with Mr. George Morrison, the superintending engineer, and the conditions of their respective engagements shall be fulfilled in good faith by the payment of whatever salaries or wages may be found to be due after the completion of the purchase of the line, the individuals in question being either retained in service or sent back to England, as may be determined; the said individuals, if retained in the employ of the Chinese Government, obeying its directions in all respects, and undertaking nothing without due authority.

Agreed to and signed at Nanking, and to be authenticated under seal on the return of the undersigned to Shanghai, this eighth day of the ninth moon of the second year of the reign Kuang-sü, corresponding to the twenty-fourth day of October in the year one thousand eight hundred and seventy-six.

[Signed] Feng,
[Signed] Chu,
[Signed] Sheng,
[Signed] W. F. Mayers.

APPENDIX C.

EXTRACTS FROM THE PRESS.

From Macmillan's Magazine, October, 1876.

ENGLISH INFLUENCE IN CHINA.

An additional Chapter to "Greater Britain." By Charles Wentworth Dilke.

[Extract].

What right have we to force China suddenly to accept the demands of our merchants as to railroads, mining, and internal navigation by means of steamships? As for railroads, the merchants forget that it is but a generation and a-half ago that they were bitterly opposed in England. It is true that the Chinese authorities give reasons against both railroads and mining which are not real ones. They pretend that it is the disturbance of the graves of their ancestors that they dread. What they really fear is the introduction of great numbers of foreigners into the interior of their country. They will be willing that railroads should be made so soon as they can be made by the natives of the country for themselves. The opposition to internal steam navigation rests upon a different ground. The Chinese believe that a vast number of people, the boatmen and their families, would be ruined by the change. In its more settled districts, and especially along the river banks, China is peopled up to a point at which living becomes precarious to a degree never reached in any other country. The economical consequences of any disturbance of the present equilibrium of poverty have never been investigated. It has never been denied by any economist that the introduction of machinery may cause

severe temporary injury to the labouring class; but the policy of such introduction is defended on the ground of the increase of general prosperity. But in China the question is one of starvation and revolution or anarchy, in many provinces at the least. While machinery has been gradually introduced into European countries, in the case of China we are suddenly threatening a vast over-populated empire with all the splendid mechanical contrivances of Europe planted there at once. One of our Consuls has written with regard to the disturbance even of the coasting trade,—for which the Chinese themselves are responsible, but which is trifling as compared with that which would be caused by the admission of steamers to the inland or river trade:—"Thousands of Chinamen were thrown out of employment by the introduction of foreign vessels. One may reckon that for every hundred tons of foreign shipping employed on the China coast, thirty Chinese were deprived of their means of living. The introduction of railways into China would create far greater distress, and I conscientiously believe that the Chinese Government is not yet capable of coping with the difficulties which too sudden an introduction of railroads would occasion."

The English newspapers have contained of late long letters relating to the opening of a Chinese railway. I am sorry to be forced to refer to this matter as an example of our unfair dealings with the Chinese. There used formerly to be a road from Shanghai to Woosung. Permission was asked of the prefect of Shanghai to re-make this road, which had fallen out of repair. A Company was got up in London, and called "The Woosung Road Company." It is still so called. After a while rails were ordered, and "the road" was called a "tramway." The first that the Chinese authorities heard of the Woosung *railway* was when they were asked to let engines for it come into China duty-free. Messrs. Jardine and Matheson have made this railway; Sir

Thomas Wade was at Shanghai when it was opened, and was staying with that firm. He was invited to the opening ceremony, and he did not go; but Mr. Medhurst, Consul at Shanghai, was present, and drank to the prosperity of the railroad. Are Messrs. Jardine and Matheson more powerful than the Chinese Empire, because this railroad of theirs has been made in defiance of treaty? From documents which have been published by the Shanghai papers, I gather the following facts. The prospectus of the Company, which stated that the Chinese authorities were "favourable to the scheme," stated that which was untrue. In 1872 the British Consular authorities asked leave of the prefect of Shanghai, on behalf of the Company, to take steps to re-open the old carriage road. In March 1873, the American Consul, who is, I believe, a shareholder in the Company, made a similar application to the prefect. The prefect, in assenting to the road, objected to the levying of tolls upon it, as being contrary to Chinese custom, but made no other difficulty. In May 1873, the road began to be called a tramway by the papers. The prefect wrote to Mr. Medhurst to call his attention to this fact, and to repudiate the rumour that the Chinese Government had given its consent to such a scheme. Since he has learnt that a railway was to be made, he has repeatedly informed our Consul that its construction is most objectionable to his Government, and Mr. Medhurst has made no public answer to his protest. The prefect has lately written an important despatch, published in the Shanghai papers, in which he sums up the whole question. He says: "The right of controlling public works, and the making of railroads in every country, is vested in the Government of that country. No railroads can be made in England which affect property, or interfere with roads and water-ways, without the express sanction of the legislature. When foreigners buy property in a foreign country, such property must be subject to the laws of the country in which

it is situate, except in cases affected by express treaty stipulations. There are no treaty stipulations between England and China authorising the purchase of land for the making of railroads. In the formation of the Woosung railroad a number of public roads, pathways, and water-courses have been destroyed, to the great inconvenience of the population. Bridges have been built over creeks, and the passage of boats laden with cargo prevented." This despatch has not, it appears, been answered. It seems unanswerable, and I know not how Mr. Medhurst will be able to clear himself from the charge of a singular want of caution in attending the opening ceremony of the Woosung railroad, nor how Sir Thomas Wade will be able to explain the fact that he seems to have made no reply to the repeated communications of the Chinese authorities.

From "The Scotsman," Oct. 12th, 1876.

The Chinese are extending their railway experiences. They have had a fatal accident, and a quarrel has arisen between the Railway Company and the Government, which threatens to assume serious proportions. About the accident there is some doubt; it is doubtful, that is to say, whether the death in question was accidental or a case of suicide. Native opinion leans to the latter alternative; and there are fears that, the utility of the railway as a clean and expeditious instrument of suicide having been demonstrated, its popularity may increase only too rapidly. About the quarrel, on the other hand, there seems to be no doubt. The Chinese Government objects not only to the railway, but also—and not, it is to be feared, without good reason—to the way in which the making of the railway has been gone about. When the opening of the Shanghae and Woosung line was commented on in these columns in July, the significance of the event was said to consist in the fact—of which then no

doubt was entertained—that the railway had been sanctioned by the Chinese authorities. This was regarded as a triumph for the party of progress, as the admission of the thin end of the wedge of Western civilisation in the most exclusive and conservative of Eastern economies. As this was manifestly the result of English influence, and the work of Englishmen, it was considered an event which might pardonably excite in this country feelings of satisfaction, and even of pride. It was another proof of the claim of Englishmen to be regarded as the pioneers of progress all over the world. There is now reason to fear that the tone of congratulation was adopted too soon, and that the whole business is not one in connection with which pride is the fittest sentiment. The latest information on the subject is to the effect that the railway was constructed and opened, not with the sanction of the imperial authorities, but in their despite. Considering the *éclat* which attended the opening of the line, and the innocent delight and wonder which the appearance of the first train caused the natives, the rumours of apprehended disturbances—of threats to tear up the lines, and wreck the rolling-stock—certainly called for some explanation. The needed explanation is now to hand; and if the facts are as they are alleged to be, the Chinese Government may warrantably complain that it has been misled and overreached, and the foreign promoters of the railway will have difficulty in clearing themselves of the charge of double-dealing and false pretending. It is sometimes excusable and even commendable to do good by stealth; but secrecy is a very different thing from dishonesty. It is certainly desirable that the railway system should be introduced into China; but it is more than desirable, it is essential, that business transactions should be conducted honourably and in good faith. The honour and good name of England, as well as of the particular Englishmen concerned, are at stake in this matter; and if, as is reported, the scheme has had the

countenance of the English Minister at Pekin and of the English Consul at Shanghae, the affair may become a very troublesome and disagreeable one for this country to deal with.

The first assertion made on behalf of the Chinese Government is that their sanction of the project was obtained by means of false representations. They were led to believe, if not positively told, that the project was one merely for constructing a new carriage-road between Shanghae and Woosung, in lieu of the old one which had gone to ruin. This impression was further confirmed by the title assumed by the Company, which was "The Woosung Road Company (Limited)." No doubt a railway is a road; and it will probably be maintained that as the thing railway did not previously exist in China, the word "road" was the nearest equivalent that could be found for "railway" in Chinese. Even, however, if that were true, it would not explain or excuse the fact that the real nature of the undertaking was concealed as long as possible. The Chinese know perfectly well the difference between a railway and a common road; and when they discovered how they had been cajoled, the authorities were naturally incensed. The whole line, with the exception of a small part at the Shanghae end, is constructed on imperial land, on land which lies outside the foreign concessions. The sanction of the Imperial Government was therefore necessary before the work could be commenced; and this was given by its local representative, the Taotai of Shanghae, on the understanding that the road was to be an ordinary-carriage road, or an extraordinary one in the sense of being better than roads in China usually are. As soon as the Government ascertained the real nature of the project, they withheld such of the titles to land required for the "road" as were still in their hands; they complained of the deception that had been practised on them; and they protest against the support given to the scheme by the Eng-

lish Consul, Mr. Medhurst. Neither complaint nor protest was of any avail. The Company continued its operations uninterruptedly in spite of the absence of titles. It is even alleged that the Company has no legal right to a considerable portion of the land over which its railway runs.

The story that these and similarly defiant proceedings have been approved, and even participated in, by the representatives of England in China is almost incredible. If true, it cannot fail to place the English Government in a very awkward position. A correspondent of the *Times*, apparently well-informed, states that in the beginning of this year Sir Thomas Wade, the English Minister in China, sent his Secretary of Legation to Shanghai to mediate between the Company and the Taotai. The settlement which he was instructed to propose, or to support, was, that the Taotai should purchase the railway—an ingenious device for getting rid of the difficulties of the case. The Taotai agreed to the purchase; but the Company or its agents insisted on the condition that the Taotai should bind himself to continue to run the railway. This condition was naturally rejected, and the mediation came to nothing. If the facts are as stated, neither Mr. Medhurst nor Sir Thomas Wade can be ignorant of the position taken up by the Chinese authorities in relation to the question. The presence of Mr. Medhurst at the opening festival in June, and the prominent part he took in the proceedings, make it difficult to believe that the charges of duplicity and defiance brought against the Company were well founded, or that the position of affairs is so critical as it is represented to be. In this connection, however, importance is attached to the fact that though Sir Thomas Wade was at Shanghae at the time, he prudently absented himself from the ceremony. There is no doubt, at the same time, that the railway is encountering much official hostility. The Viceroy of Nankin is known to view it with great dislike, and to regard its inauguration as

a slur on his Government. He has sent two mandarins to inspect the line, evidently with the view of gathering facts and complaints against it. These, if report speaks truly, it will not be difficult to obtain; for, in spite of its defective titles, the Company is credited with having utterly disregarded the rights of the landowners, as well as the interests of the peasantry, in the districts traversed by their line. Their embankments have stopped many paths and roads on land, and their low bridges have interrupted the boat traffic on many waterways. The Taotai is anxious to meet these encroachments by strong measures. He is believed to have appealed to the Viceroy for leave to incite the people to tear up the rails; and recent mails have brought news of several disturbances in connection with disputed boundaries and questions of right of way. The very latest intelligence is to the effect that Sir Thomas Wade has stopped the running of the trains, although the construction of the line still proceeds. It is not clear whether Sir Thomas's step is connected with the fatal accident above referred to, or with the quarrel between the Company and the authorities; but in either case it indicates a critical state of affairs.

It is unfortunate that this matter has come up just when the Yunnan affair was being settled. There is no doubt that the submission which the Chinese Government has had to make to the demands of this country for satisfaction for the murder of Mr. Margary will tend to embitter their feelings on the railway question. If they are at all vindictively inclined, they may see in it an opportunity of retaliation. The unfortunate soldier who allowed himself to be run over by a train in the beginning of August may even be made to play the part of Mr. Margary; and compensation may be demanded for his life. Indeed the last advices tell us that the Taotai insists on having the life of the engine-driver. The Chinese are not too particular about the

relevancy of their excuses when they have resolved on a quarrel. It is true that their experiences in their latest contests with the Western Powers are not likely to make them court a renewal of open hostilities. On that very ground, however, it will be all the more a cause of regret if either an English Company or the English officials have stolen a march on the Chinese Government, under the protection of English gunboats. It will leave in the native mind a feeling of jealousy, a rankling sense of injustice, by which the relations of the two countries and peoples are not likely to be improved. Neither does it hold out an encouraging prospect of the speedy extension of the railway system in China. The one hopeful feature in the case is, that the Chinamen continue to use the line in increasing numbers. The "fancy traffic" is gradually dying out, but of genuine travellers there are more than ever. If the Railway—not this particular line, but the Railway as an institution—succeeds in getting the mass of the people on its side, so that they shall come to regard it not only as a convenience, but in some sort also as a necessity, then it need not fear the hostility or the jealousy of the Mandarins.

From "the Celestial Empire," Shanghai, Nov. 16th, 1876.

THE WOOSUNG RAILWAY.

The Woosung Railway Question has, it appears, at last been definitely settled; and considering the extreme difficulty attending the discussion, we think that both shareholders and the public may congratulate themselves upon the result. It is of no use to blink—what, indeed, we take to be the truth of the matter—viz., that the Company had previously placed itself in a somewhat false position. That the thanks of all foreigners are due to the projectors of the scheme is undeniable, but even this consideration gains fresh force

from the fact that the Company ran a very serious risk in making the attempt. There seems but little doubt that to make a railroad across highways, byeways and watercourses, without Government permission, is a measure for which no precedent is forthcoming: the mere fact of the strip of ground upon which the rails and sleepers were actually laid having become the private property of the Company by right of purchase, is really nothing to the point. It has been said that, as the road was freely sold to the Company by the proprietors of the land, therefore the Company was able to use it in any manner they thought best. This is incorrect. It is very doubtful whether, in Europe, any individual would be permitted to construct a toy-line even on his own private property, with a view to carrying passengers; unless, indeed, he complied with the official regulations as regards substantial construction, rolling-stock, and so on. The Duke of Sutherland might certainly make a railroad through his grounds if he felt so disposed, the termini being situated at each of his park-gates, so that the trains should not trench upon the public thoroughfares at all; but we are very much mistaken if, to carry the public, a special Act of Parliament would not, even in such a case, be requisite. Any enterprise in which the public have an interest must be brought under the control of the Government to a certain extent, even if only for the protection of the public itself; and the promoters of the Woosung Railway Company certainly reckoned without their hosts in attempting to evade the necessary Government interference in the case before us.

If ingenuity, however, be a title to success, then have the Directors of the Woosung Railway Company been very hardly used. The ground was purchased in the first instance by American citizens, who styled themselves collectively the Woosung *Road* Company. It was then sold by them to another body yclept the Woosung *Tramway* Company, and

transferred with the usual formalities. In the Chinese title-deeds the road was set forth as being not a *ma*-loo (horse)-road, but a *ch'é*-loo, (carriage)-road; and in the English version the word "carriage" was replaced by its synonym *car*, which by the easy addition of an "s" became "cars" —*i.e.*, the American equivalent for railway-carriages. The neatness of this was perfect, and for a long time it seemed as though so admirable a stroke of *finesse* had really gained the day. But the Chinese authorities were upon the watch. The Tao-t'ai had to shield himself from punishment and disgrace, and he knew full well what he was about. He was able to plead with perfect truth that the affair had been commenced during the incumbency of Shên, his immediate predecessor; but Shên could clearly reply that *he* had only known of the purchase of ground for a simple road, and that the development of the scheme had taken place while Fêng held the reins of power. So the works were allowed to proceed until they were completed, or nearly so, and then Fêng Tao-t'ai entered his memorable protest. This, of course, was indispensable, and we consider that the document he then drew up was a remarkably clever one. This set the ball rolling, and the controversy was then opened in good earnest. It is said that in his first communications with the Chinese authorities Sir Thomas Wade gained a decided advantage; so decided, indeed, that they relapsed into a sullen silence, and, without giving any formal consent, nevertheless seemed to retire from the contest, evincing no disposition to put further obstacles in the way. The discussion however, was subsequently recommenced by Sir Thomas Wade, who, doubtless seeing good reason why he should not let well alone, sent down instructions from Chefoo that the traffic was to be stopped at once. At, last after months of talking, Mr. Mayers arrived on a mission to the Viceroy of Nanking, with whom he soon came to an agreement, subject to ratification by the interested parties at home. The con-

ditions were telegraphed forthwith, and we now hear that they have been accepted.

With regard to the future of the Woosung Railway, it is impossible to speak with any certainty. All we know is that the trains are to continue running for a year, at the expiration of which term the entire concern will become the property of the Chinese Government, for a sum to be based on the results of the twelvemonth. The shareholders may just get their money back, with any dividend that may be payable out of the profits on the one year's working. But what the Government is likely to do with it then, we cannot say. We only wish that the China Merchants' Company could be induced to take it over; for then there might be some chance of the enterprise being carried on in a business-like spirit. It is to be feared however that this will not be done. There is also not the slightest chance, from what we hear, of the line being extended to Soochow. The water-communication is too perfect, in itself, to permit of any land traffic for goods being as extensively patronised as would ensure a profitable return. In fact we cannot hope to see any extension of railways south of the Yang-tsze. In the north it is different; there the rivers and canals are not so numerous, and many of the great cities—the Capital to wit—are virtually in an isolated position, and railways might be laid down there with some hope of advantage. But we are afraid that it will be yet many years ere we are able to take a ticket from Taku to the Peking terminus, or are warned to "change here for Moukden, Newchwang and the Great Wall."

From "The Globe," December 19th, 1876.

RAILWAYS IN CHINA.

The Woosung Railway difficulty has been finally surmounted, it seems, by an arrangement for the sale of the

line to the Chinese Government. The price has not yet been fixed, but the main condition of the bargain is that the railway shall be worked for another year by the present Company. These terms had, however, to be ratified by the directors and shareholders, who, we have reason to believe, have agreed to the proposal. Had they declined to avail themselves of this opportunity of getting out without loss from a very delicate situation, it might possibly have happened that every farthing embarked in the undertaking would be sacrificed. The Chinese authorities, if not the populace as well, have plainly set their faces against the project, and declare that they were tricked into giving their consent to the construction of the line. They believed—and there were sufficiently valid grounds for the idea—that the Company proposed to construct a high-road of a superior sort. The Mandarins have always been opposed to the introduction of railways into the empire, and it is difficult to believe that they would have so readily consented to the Woosung line had they known its real nature. At all events, the fact has to be accepted that they are now extremely anxious to get rid of this European innovation on any terms. The question is, therefore, whether foreigners have any sort of right to force railways upon China in opposition to the wishes of the Government. Even supposing that the Taotai really allowed the Woosung line to be built with a full knowledge of its true character, it would clearly remain open for the Government to acquire the property by equitable purchase. We are glad the directors and shareholders have seen the expediency of sanctioning the proposed arrangement. Anything in the shape of a serious complication with China would be decidedly inconvenient just at present. And the possible quarrel was all the more to be deprecated, inasmuch as the Chinese in the present instance seem to have had good grounds for complaint against the "foreign barbarians."

From "The Pall Mall Gazette," 4th January, 1877.

THE WOOSUNG RAILWAY.

The mail from China has brought us the text of the agreement concluded between Mr. Mayer and the Viceroy of Nanking on the subject of the Woosung Railway; and an examination of its conditions explains unmistakably the true motives which actuated the Chinese Government in opposing the undertaking. The principal clauses provide (1) that at the expiration of a twelvemonth from the 31st of last October the railway shall become the property of the Government by purchase; (2) that during this period trains for the conveyance of passengers only shall be run; and (3) that, "in any future case in which it may be desired to construct a railway or other similar works, application shall in the first instance be made for the sanction of the Chinese Government, and the present arrangement shall not be construed into a precedent."

The desire thus expressed of gaining possession of the present railway, and of having their right of vetoing any future undertaking of a similar kind officially acknowledged, points to the fear of foreign aggression which constantly haunts the imaginations of the Chinese authorities. Our acquisition of India is an instance of the policy by which they believe our Government to be continually actuated, while the advances of Russia on their northern frontier and on the Khanates of Central Asia are existing evidences of the craving of one European Power at least for territorial aggrandizement. Acting under the influence of these impressions, it has been the constant aim of the mandarins to limit foreigners to those settlements at the ports which they have yielded to them only at the point of the bayonet. To the mere presence of railways they have no more objection than they have to that of the steamers which frequent their

harbours and sail up their rivers laden with native goods and chartered by native merchants. But the arrival of Europeans in the interior for the ostensible purpose of making railways would be strenuously opposed, as inevitably leading to territorial encroachment. When, after the last war, a few acres of land opposite Hong Kong were ceded to the British Crown for a camping ground, a Chinese gentleman who was unusually well acquainted with European politics remarked, with some bitterness, "It is the silkworm on the first leaf of the mulberry tree;" and exactly the same belief is held by every mandarin regarding railways to be constructed by foreigners in China. "If we want railways we will build them for ourselves," the Taotai wrote to the British Consul at Shanghai, in a despatch in which he remonstrated against the Woosung Railway project. The position, then, which the Chinese Government takes up is this: "We know all about railways," say they; "we fully appreciate the political and commercial advantages they confer upon a country; and when we see our way to employing them we shall not hesitate to introduce them. But meanwhile we shall oppose by every means in our power their introduction by foreigners." Their case thus made out is so strong that it is difficult to see how it can be answered. But besides this there is another objection which the Government has at present to railways, and this it is to which the clause in the agreement points which provides that the Company shall run trains for the conveyance of passengers only. The Chinese have been so long isolated as a nation, and the industrial employments of the people have remained unchanged for so many centuries, that the notion of introducing an entirely new carrying power into the country not unnaturally gives rise in the minds of their rulers to disquieting visions of unemployed coolies, starved-out carters, and ruined boatmen, who might be inclined to vent their wrath on the Government, which they would probably look

upon as the author of their miseries. Looking down from the height of knowledge which we have now gained by experience, we are in a position to tell the Chinese Government that railways give work to many more than those they deprive of their original employments. But it is not many years since Sir Isaac Coffin, speaking in the House of Commons in the debate on the adoption of Stephenson's railway schemes, used these words: "What, he would like to know, was to be done with all those who had advanced money in making and repairing turnpike roads (if railways were introduced)? What of those who may still wish to travel in their own or hired carriages, after the fashion of their forefathers? What was to become of coachmakers and harness-makers, coachmasters and coachmen, innkeepers, horse-breeders and horse-dealers?" And it would be unreasonable to expect from the Chinese, who have only lately learned that there exist other systems of political economy besides that enunciated by Confucius in the fifth century before Christ—more enlightened views on these subjects than those held by men to whom Adam Smith's "Wealth of Nations" was a familiar study. The French proverb says that "the best is the enemy of the good," and the hot haste with which the Japanese have adopted railways, as well as everything else European, is universally held up to admiration to the disadvantage of China. But Chinese ways are not as Japanese ways, and the love of change which is so conspicuous in Yedo finds no place in Peking. Besides, it requires a greater impetus to set a large body in motion than a small one; and it will take a long time before the millions of China can be so permeated with a desire for advancement on the European model as to justify the adoption of any great innovation by the Government. Already, however, there are signs that the nation is beginning to move forward; and though its rate of progression is provokingly slow, it must be left to advance at its own pace.

The action, then, of the promoters of the Woosung Railway is only another instance of how little the Chinese are understood, even by many of those living among them. Acting on the belief that railways were of all things best calculated to advance the welfare of the people, and that it was only through ignorance of the advantages they confer that the mandarins had not introduced them into the country, a company of foreign merchants at Shanghai determined to do good by stealth. They gained the consent of the authorities to the purchase of a strip of land between Shanghai and Woosung, for the purpose, as they stated, of making a road. As soon as this "road" was completed they laid rails upon it. Presently a locomotive and some carriages, which had been prepared beforehand, appeared on the scene; and, before the authorities had time to consider how best to put a stop to the undertaking, trains were whisking backwards and forwards over the ten miles between the termini. No doubt the intention of the railway-makers was excellent, but unfortunately the plan they adopted for carrying out their project was, of all others, that most calculated to arouse the suspicion of the mandarins. The agreement recently concluded with the Viceroy of Nanking, however, practically puts an end to the railway; and it is to be hoped that these would-be benefactors of the Chinese race will have learned wisdom by their failure. At present their best boast is that the people have crowded to see the trains start, and have shown great pleasure at the sight. Of course they have. Any strange and novel sight pleases the Shanghai coolie. No political responsibility rests on his shoulders, neither has he learned to look into the future; and he therefore finds himself free to enjoy without thought any exhibition, from a mermaid to a railway train, which may excite his curiosity. But it is very different with the mandarins, who, however mistaken they may be, draw a lesson from the past and present history of Asia which casts their foreign policy into an iron mould.

LONDON:
G. NORMAN AND SON, PRINTERS, MAIDEN LANE,
COVENT GARDEN.

"Shanghai."

Wm. Wood.

Telegram

Reading Penna.
Nov. 20. 1877.

Jno. A. Campbell,
Third Asst. Secty State,
Washingtn. D. C.

Following received by
Cable yesterday.
O. B. Bradford tried embezzlement.
Pleads guilty. Imprisoned.
Appeals President.
J. C. Myers.

No. 21 Cons
58

Act'g Sec'y } W. H. Wood.

United States Consulate General
Shanghai, China
22d November 1877

DEPARTMENT RECEIVED JAN 10 1878 OF STATE

Honorable John A. Campbell,
Third Assistant Secretary of State
Washington

Sir:

Inclosed I have the honor to hand you the usual Returns for the 3d Quarter 1877, which please find in order as follows:-

Inclosure No. 1. Form No. 90 as
" " 2. " " 117 stat
" " 3. " " 118 file
" " 4. " " 119 do
" " 5. " " 120 stat
" " 6. " " 121. file

Entered

I am, Sir,
Your obedient Servant
[signature]
U. S. Consul General

United States Consulate General
Shanghai, China
22d. November

G. Wiley Wells Esq. to the Honorable
Third Assistant Secretary of State

Subject.

Transmitting 6 Inclosures,
the usual Returns for the 3d. Quarter 1877

FORM No. 21.

NAMES of all Deceased American Citizens, including Seamen or Mariners, together with the value of the personal effects belonging to them, and taken possession of by or deposited with T. Wiley Wells Esq. U. S. Consul at Shanghai, from July 1st to September 30th, inclusive.

DATE OF DECEASE.	NAMES OF PERSONS.	OF WHAT PLACE A NATIVE OR RESIDENT.	IF A SEAMAN, TO WHAT VESSEL BELONGING.	WHERE DECEASED.	VALUE OF EFFECTS.	DISPOSITION MADE THEREOF.
						In hands of
July 6th	William Long	Port Tobacco Md.		Shanghai	432.07	U. S. C. G.
" 24	J. A. Johnson	Baltimore "		"	5970.40	Executor
Sept 7	W. H. Heidrick	New York		"	177.52	U. S. C. G.
" 9	Edward Lincoln	"		"	Nil	
" 10	Jasper Griffing	New Haven, Conn		"	337.19	Executor
" 24	H. R. Adams	Saco Me		"	470.	"
" 23	W. J. Kirby	England		"	3537.	"

E. & O. E.

Shanghai, September 30th 77.

T. Wiley Wells
U. S. Consul.

21 Nov. 22 77.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* September 30th 1877.

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Palos.	6714	Shanghai July 2nd	July 2nd	Sending for deserter.		
Taotai.	6715	do June 30th	" "	Returning duds 268. 270.	164.	
Mackenzie & Co	6716	do July 2nd	" "	Sending ap. Sales furniture.		Mr. Holbrook & Co.
M. Council	6717	do do "	" "	Sending debit notes against Taotai 3 & 4th		1877
Legation	6718	Chefoo June 21st	" 3rd	Instructions about Chinese Congregation		
Taotai.	6719	Shanghai July 2nd	" "	Chang Cwai Chun goes home.		
Consul for Japan	6720	do do 3rd	" "	Rets of duds 266 & 270.		
U. S. Consul	6721	Amoy June 30th	" 5th	Inquiry about Extra wages		
do	6722	do do "	" "	Ack receipt dispatch		
Taotai.	6723	Shanghai July 5th	" "	Theatricals at Woosung.		
Local P. Office	6724	do do 6th	" 6th	Letters by Chinese merchants Steamers,		Removed Stamps
Legation	6725	Chefoo do 3rd	" 7th	Appearing A. G. G. reply to		Mr Colby.
U. S. Consul.	6726	Hankow do 6th	" 9th	Sending returns & Ocs.		
M. Council	6727	Shanghai do 9th	" "	asking permission to publish dispute on Fire hose		Question

Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

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U.S.V. Consul.	6728	Tientsin July 2nd	July 10th	Sending Dis for Dept		
Monocacy.	6729	do " 5th	" "	Letters for Chefoo. regular mails to be sent to Chefoo.		
U. Council.	6730	Shanghai " 10th	" "	Houses built on Seward Road.		
U.S. Consul.	6731	Hankow " 7th	" "	Sending Dis for Legation.		
Taotai	6732	Shanghai " 10th	" 11th	Sending Dis from Viceroy to Legation		
C.Z. Endicott.	6733	do " 11th	" "	Bale bearing goods under transit pass stopped at Kiukiang Barrier.		
U.S. Consul.	6734	Ningpo " 12th	" 13th	Sending Dis for Dept.		
Dept. State	6735	Washington May 26th	" "	an instruction relating to it. Mr Myers peculiar Dis of April 11th rec'd. gives the U.S.C.		
do	6736	do " 24th	" "	Circular no 10.		
Fifth Auditor	6737	do " 26th	" "	Seaman's A/c to 27th March		
Compt Treasury	6738	do " 26th	" "	" " " "		
Z Jardo	6739	Hongkong July 6th	" 16th	Matter of the Claims against her.		
U.S.V. Consul	6740	Tientsin " 9th	" "	Sending Dis for Dept.		
U.S. Consul	6741	Canton June 30th	" "	" " " Legation.		

Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

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U.S. Consul.	6742	Canton July 6.	July 16th	Sending dis for Dept.		
Monocacy.	6743	Chefoo. " 12.	" "	Sending Mail.		
Tantai	6744	Shanghai " 15.	" "	Mr Endicott's goods at Chinkiang no Barrier		
M.A. Jenkins.	6745	Do " 17.	" 17th	Application for River pass.		Steamer Taokong
Dept. State	6746	Washington June 8.	" 19th	Proceedings of Ministers in Sus pending J.C. Myers approved and the President has formally suspended him Mr Myers to be advised. Mr Bradford designated to assume duties of the office.		
Harrison Bros & Co	6747	Philadelphia June 9.	" 19th	Inquiring about Chinese wood Oil.		
D. Magistrate	6748	Shanghai July 20.	" 20th	Requesting Seal to warrant.		
U.S.V. Consul	6749	Kiukiang " 2.	" 21st	Sending dis for Dept.		
do	6750	do " 3.	" "	" " " "		
L.P. Office	6751	Shanghai " 24	" 24th	Sending list letters per Kaishin with the stamps removed		
Comm Customs	6752	Do " 24	" "	Matter of Measurement of Ling An.		

Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

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Legation	6753	Chefoo. July 17.	July 24th	Mr Du Bose case. Results of reference to it. in a communication between Mr Holcomb and the Viceroy		
Comm Customs	6754	Shanghai " 19.	" "	Instructions about the registry of Wm Phillips		
do	6755	do " 25.	" 25th	Capt Vernier will act in measuring the Ling An.		
U.S. Consul	6756	Canton " 17.	" 26th	Sending list for Legation.		
G. Canton.	6757	Shanghai Aug. 1.	Aug 1st	Sending Measurement of Ling An. 223.75/100 tons.		
Legation	6758	Chefoo July 19.	" 2nd	Associate list: names to be sent for approval.		
do	6759	do " 26.	" "	Sending official Card for Mr Denny. Consulate Interior		
H.B. Du Bose	6760	Soochow Aug 1.	" 3rd	Sending letters for the Minister		
S.J. Gulman	6761	Shanghai " 1.	" "	Appointment of Foreign officer.		
Neth. Consul.	6762	do " 1.	" "	Death of the Queen of Holland. Also that flags be worn 24 hours on board U.S. vessels on the 4th 5th & 6th.		
French Consul Gen.	6763	do " 3.	" "	Election of Swiss Consul. Archives and protest		
Compt. Treasury	6764	Washington June 20.	" 6th	Court of Appeals 27th March.		
do	6765	do " 19.	" "	Consular Clerks &c.		

Consul General.

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Compt. Treasury	6766	Washington June 19.	Aug. 6th.	Consular Clerks account.		
P. M. S. Agent	6767	Yokohama July 27.	" "	Passage for Yokohama		
U. S. Consul	6768	Hiogo " 20.	" "	Inquiry about Shipment of Tea.		
do	6769	Amoy Aug 1.	" "	Application. leave of absence for Six months		
Legation	6770	Chefoo July 30.	" 7th	Mr Henderson's dispatch about rents.		
do	6771	do Aug 1.	" "	Spirit of King question referred to Legation		
U. S. Consul	6772	Tientsin " 2.	" "	Sending papers. "Little Captain"		
Taotai	6773	Shanghai " 5.	" "	Duties on books going in when printed.		
do	6774	do " 5.	" "	Complaint against Smuggling on the Yangtze River		
Ashmead	6775	do " 7.	" "	Discharge of Griffith Hughes		
do	6776	do " 8.	" 8th	Requisition to deliver men in Jail		
do	6777	do " 9.	" 9th	do do do do do		
do	6778	do " 9.	" "	Sending Reward list for a deserter.		
Taotai	6779	do " 8.	" "	Will receive Mr Bradford & Dr Gates on Sunday		

Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

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Ashmead.	6780	Shanghai Aug 9.	Aug. 9th	Requesting to deliver a deserter.		
Tau Tai	6781	do " 8.	" 10th	Receipt of dispatch about junk stopped in by Fah Lee		
D. Magistrate	6782	do " 8.	" "	Requesting Seal to warrants		
U. S. Consul.	6783	Kiukiang. " 2.	" "	Sea Ship Speed by Lorne from Kiukiang.		
James Stewart	6784	Schalow. " 2.	" 11th	Rect of Watch and Chain from the President		
Tau Tai	6785	Shanghai " 10	" "	About processions in honor of the Gods.		
C. R. Haines.	6786	Watertown June 13.	" 13th	Asking for records in U. S. Co Waterhouse		
Amy Jundo	6787	Hongkong Aug 7.	" "	Matter of her debts.		
do	6788	do " 9.	" "	Has asked Mr Moore to sell her furniture		
Legation	6789	Chefoo. " 7.	" "	Mr Du Bosc's case Soochow		
Mag. Mixed Courts.	6790	Shanghai " 12	" "	Proposes to call with Divan		
A & J. Trading Co	6791	do " 13	" "	Spirits of wine used by Chinese		
Compt Treasury	6792	Washington June 19	" 17th	Interpreters apt to 27th March balanced		
do	6793	do " 19.	" "	Marshal's " " "	"	"

Consul General.

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Compt. Treasury	6794	Washington June 20	Aug. 17th	Salary & Jurisdiction 27th	Receipt balanced	
do	6795	do " "	" "	Extra Clerkhire "	"	"
do	6796	do " "	" "	Contingent Expenses	"	"
Jas. Jas.	6797	Shanghai Aug. 15.	" "	Returning U.S. Deeds	283. & 302.	
Legation	6798	Chefoo. " "	" 18th	Instructions to purchase for Consul	Treaties Compilation of	
U.S.V. Consul.	6799	Tientsin " 13.	" "	Sending papers of "Orphan"		
Jas. Jas.	6800	Shanghai " 11.	" "	Matter of foreshore of Mills property.		
U.S. Consul.	6801	Chinkiang " 18.	" 20th	Receipt of dispatch		
Dyesdale Ringin & Co	6802	Shanghai " 20.	" "	Invoices sent to San Francisco.		
U.S. Consul.	6803	Canton " 8.	" 21st	Receipt of Copy of "Wm Phillips" register		
Russell & Co	6804	Shanghai " 22.	" 22nd	Appointment of Master. Steamer "Ping An"		
U.S. Consul	6805	Ningpo " 20.	" "	Enquiry about Chinese Theatres		
H.B.M. Consul	6806	Foochow " 21.	" 23rd	Sending draft of letter for Viceroy		
U.S. Consul	6807	Hiogo " 16.	" "	Sea Shipped to Shanghai.		

..... Consul General.

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U. S. Consul.	6808	Kobe Aug. 16.	Aug 23rd	Tea Shipped to Shanghai		
Legation	6809	Chefoo. " 8.	" 27th	Sending Certificate appt. T. Jones U. Consul for Foochow		
U.S. Consul.	6810	Canton " 14.	" "	Sending dispatch for Dept.		
Chas Delmer	6811	Dunedin June 12.	" "	Regrets to send letters to Hongkong		
Legation	6812	Chefoo Aug. 18	" "	Questions relating to transit pass System		
do	6813	do " 18.	" "	Judicial procedure in mixed cases.		
do	6814	Shanghai " 20	" 28th	Chinkiang office could be abolished without detriment to the service		
do	6815	do " 20	" "	Sending Commission of E. W. Wells U.S.C.G.		
do	6816	do " 28	" "	Confidential		
Harbor Master	6817	do " 29	" 29th	Mr. Pilot McDonald has not paid license fee.		
U. S. Consul.	6818	Canton " 22.	" 30th	Sending dispatch for Legation		
Annie Scheffs	6819	San Francisco July 21.	" "	Receipt of letter		
B. Frank.	6820	Kagoshima Aug 16	" "	Enquiring information relating to F. Jerome.		
Tan Tai	6821	Shanghai " 31.	Sept 10th	Regrets inability to subscribe to Poors Mission Hospital Scheme		

..... Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

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U.S. Consul	6822	Amoy Aug 29.	Sept 3rd	Receipt of dispatch about Consulate rentals.		
do	6823	do " 29.	" "	Asking about allowance in par 381. C. Regs.		
do	6824	do " 29	" "	Rect of dispatch about Tau Tai.		
H.B. DuBose.	6825	Soochow " 31.	" "	Sending dispatch for Tracing		
Tau Tai	6826	Shanghai Sept 1.	" "	Mr Endicott's transit-pass Enemies.		
D. Magistrate	6827	do " 3	" "	Mr Rice's compradore.		
Taotai Tai	6828	do " 2.	" 4th	Japanese title deeds.		
do	6829	do " 2.	" "	Seward Road. Magistrate will report.		
H.B. Endicott	6830	do " 4.	" 5th	His transit-passes.		
Legation	6831	Chefoo " 1.	" 6th	Mr Haskell's solution Spirit of Lazine.		
do	6832	do " 1.	" "	Rect of letter. Ch of Commerce Conservation of the Arkeongpo.		
A.J. Cumine	6833	Shanghai " 5	" 7th	Sending letter to minister on Woosung R. Road.		
Dept State	6834	Washington June 28.	" "	Mr Guilford O. Wells appt'd Consul Cinl. and request the S.C. Genl to deliver archives to him		

Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

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Mrs J. B. Hall.	6835	Mt Swanken. July 23.	Sept 7th.	Inquiry for J. F. Conlins		
Charlotte Bastley	6836	Greenpoint " 23.	" "	Rect of letter about J. B. Bastley		
U. S. Consul Genl.	6837	Yokohama. Aug 27.	" "	Mr E. W. Denison in charge as		Vice Consul General
U. S. Consul	6838	Hiogo " 29	" "	Sea Ship passed to Shanghai		
do.	6839	do. " 30.	" "	" " "		"
C. B. Endicott	6840	Shanghai Sept 7	" "	Handing duplicate transit passes		
do.	6841	do. " 13	" 13th	" "		" "
Dept of For mails	6842	Washington July 9	" "	Sending Postal guide	3 vol	for 1877
U. Magistrate	6843	Shanghai Sept 13	" 14th	Dr Martin's house Affair. has sent		Lieutenant to court martial
Mag Mixed Court	6844	do. " 14	" "	Rect dis & roll call list a Consul Genl 2 P.M.		
Dept State	6845	Washington June 25.	" "	no 2 dispatch from Dept to Mr Wells		
Tan Tai	6846	Shanghai Sept 14	" "	will send Deputy to measure land for T.D. 323.		
U. S. Consul	6847	Tientsin " 7	" 15th	Sending dispatch for Dept.		
Tan Tai	6848	Shanghai " 7	" "	will receive Dr Mc Carter.		

Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

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Consul for German Empire	6849	Shanghai Sept 15.	Sept 15th	Receipt of dispatch		
Comm Customs	6850	do " "	" "	do do do		
Austrian Consul	6851	do " "	" "	do do do		
Japanese Consul Genl	6852	do " "	" "	do do do		
do Postal Agent	6853	do " "	" "	do do do		
French Consul Genl	6854	do " "	" "	do do do		
H.B.M. Sup Court	6855	do " "	" "	do do do		
U.S. Consul	6856	Chinkiang " "	" "	Receipt of Compilation of Treaties		
H.B.M. Consul	6857	Shanghai " "	" "	Receipt of dispatch		
Spanish Consul	6858	do " "	" "	do do do		
Russian Consul	6859	do " 17	" 18th	do do do		
Italian Consul Genl	6860	do " "	" "	do do do		
Portuguese Consul	6861	do " "	" "	do do do		
H.B.M. Reg of Shipping	6862	do " 18	" 19th	do do do		

Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* _____ 18 .

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U. S. Consul	6863	Chinkiang Sept 17.	Sept 19th	Receipt of dispatch		
Schuelot	6864	Chefoo " 15.	" "	Requesting telegram sent to Tennessee about Cholera		
U. S. Consul	6865	Ningpo " 18.	" 20th	Receipt of dispatch		
Dept State	6866	Washington Aug 3.	" "	Receipt of dis. Seals will be sent		
do	6867	do " 6.	" "	" " " about Mr. Shepards dispatch on undocumental Vessels		
do	6868	do " 11.	" "	Rect of dis. Dr. McCartee appt Interpreter and his Commission enclosed.		
L. F. Frindsley	6869	New York " 11	" "	Receipt of letter.		
U. S. Consul	6870	Canton Sept 11	" "	Rect of dis. about Compilation of Treaties.		
do	6871	do " 12.	" "	Sending dispatch for Legation.		
do	6872	Hankow " 17.	" 21st	Sending Chinkiang pass for Ling Au.		
do	6873	do " 21	" 25th	Receipt of dispatch		
U. S. V. Consul	6874	Newchwang " 20	" "	" " "		

_____ Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
Legation	6875	Peking Sept 17.	Sept 26th	Receipt of Mr Cummins dispatch		
Wm Symons	6876	Shanghai " 24	" "	appointment of foreign officers on Vesta"		
U. S. V. Consul	6877	Tientsin " 18	" "	Receipt of dispatch		
U. S. C. O. F. Denny	6878	do " 20	" "	Mr O. F. Denny assumes duties as Consul.		
Legation	6879	Peking " 20	" "	Balance due Establishing Co of Canton ligate to State dept		
U. S. Consul	6880	Hongkong " 17	" "	Leaves Hongkong for the U. S.		
H. F. Loring	6881	do " 20	" "	Assumes duty as Vice Consul at Hongkong		
U. S. Consul	6882	Nagasaki " 20	" "	Receipt of dispatch		
Ranger	6883	do " 22	" "	Inquiring as to the health of Shanghai		
Tah Tai	6884	Shanghai " 24	" 25th	Rect of dis. announcing that Mr Wells had taken Charge. dated 13th Sept.		
Legation	6885	Peking " 22	" 29th	Rect of dis. announcing Mr Wells had taken charge		
do	6886	do " 22	" "	Mr A. M. Eckford Authorized to act as U. S. Agent at Chefoo until pleasure of Dept. is made known.		

Consul General.

Register *of Official Letters and Dispatches received at the United States Consulate General at Shanghai, China, for the Quarter ending* ..... 18 .

NAME OF THE WRITER.	NO.	PLACE AND DATE OF LETTER.	WHEN RECEIVED.	ON WHAT SUBJECT.	No. of Enclosures.	REMARKS.
U. S. Consul	6887	Foochow Sept 17th	Sept 29th	Rect of Copy of Compilation of Treaties		
do	6888	do " 20th	" 29.	Rect of Lis announcing Mr Wells in charge.		

S. Wells Williams Consul General.

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* September 30th 1877.

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
July 2.	10586	J. Buchanan Shanghai	Sending wages. "Almata"	
" 2	10587	Mixed Court Mag. Shanghai	Case of U.S. vs Rickels	
" 2	10588	E. Shinagawa H.B.J.M. Consul Genl	Deeds no 268. 270 Cancelled.	
" 2	10589	A. Davenport.	do . 164. do	
" 2	10590	Yamawaki Masakatz.	Relating to Title Deeds 268. + 270.	
" 6	10591	Capt of Ashuelot. Shanghai	Arrest of L. Pawchi	
" 6	10592	Tau Tai. Shanghai	Can he receive Dr McCartee.	
" 11	10593	U.S. Consul Amoy.	Discharge of Seaman. time unexpired	
" 12	10594	Tau Tai Shanghai	Ack Receipt dispatch for Ministers from Viceroy	
" 12	10595	do do	Mr Endicotts goods detained.	
" 12	10596	do do	His dispatch about Theatre at Woosung	
" 16	10597	Dept State. Washington	Certifying invoices &c	
" 17	10598	do do	Informing of the fire attempt.	
" 17	10599	Collector of Customs. San Francisco	19 Triplicate Invoices.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* ____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES
July 17	10600	Collector of Customs. Boston	18 Triplicate Invoices	
" 18	10601	Erased from the book.	Erased from the book	
" 18	10602	W. H. Lapp Esq. Shanghai	Discharge of Seaman	
" 21	10603	Legation. Chefoo.	Sundries returns &c 2nd /4 1877	
" 23	10604	Dept. State Washington	Fourth qr account " "	
" 23	10605	Fifth Auditor do	Salary and fees qr " "	
" 23	10606	do do do do	Court qr	
" 23	10607	do do do do	Marshal's	
" 23	10608	do do do do	Ex Clerk hire	
" 23	10609	do do do do	Interpreters	
" 23	10610	do do do do	Consular Clerks	
" 23	10611	do do do do	General Returns.	
" 23	10612	do do do do	Seamans qr	
" 23	10613	State Dept do	General Returns.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* ..... *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
July 24	10614	Comm Customs Shanghai	Measurement of "Ling An"	
" 25	10615	Dept State Washington	Rect of instruction no 36.	
" 25	10616	do do do	Rect of instruction. Instructing Mr Seward in his Suspending J.G. Bry	
" 25	10617	Supt For Mails do	Sending P.O. a/c to 27th March	
" 25	10618	Dept State do	Forwarding P.O. a/c unsigned.	
" 25	10619	do do do	Sending Register W.m Phillips	
" 25	10620	Collector of Customs New York	113. Triplicate Invoices	
" 25	10621	do do do San Francisco	10. do do	
" 25	10622	do do do Boston	2. do do	
" 25	10623	do do do San Francisco	1. do do	
" 27	10624	Capt of Ashuelot Shanghai	Arrest of G. Hughes.	
" 27	10625	U.S. Consul Canton	Cr of Register Behr W.m Phillips	
" 28	10626	H.E. Du Bose. Sp Press Missionaries Shanghai	Information about Convicted Chinese	
" 28	10627	U.S. Minister Chefoo.	do do do do	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES
July 28	10628	U.S.C. Consul Tientsin	Requisti for Orphan's papers	
" 28	10629	G. Barton Shanghai	Requisti to measure Ling Au	
" 28	10630	U.S. Minister Chefoo	Duty on Spirits of Wine	
" 28	10631	do do do	Effaced Registry for Wm Phillips	
" 30	10632	Miss A Jones do Hongkong	Sale of Her Furniture	
" 31	10633	Dept State Washington	Resignation Mr Emery nomination of Interpreter of Consulate	
" 31	10634	do do do	Full Report of the Fire at C. Genl.	
" 31	10635	Commd Fryer Monocacy Chefoo	Parcel given to Comdr Garst.	
" 31	10636	Collector of Port San Francisco	One Simplified Invoice	
Aug 1	10637	French Consul General	Sending Senior Consuls papers	
" 2	10638	Capt of Ashuelot Shanghai	Arrest of Holden, seaman and Murray	
" 4	10639	Netherland Consul do	Receipt of Notice. Decease Queen Sophie	
" 4	10640	Amy Jones do Hongkong	Notice about the Sale of Furniture	
" 4	10641	Tan Tai Shanghai	Matter of Seward Road.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Aug 4	10642	Tao Tai Shanghai	Junk brought in by "Fuh Lee"	
" 6	10643	do do	Transfer of Land. I.D. 283 + 302.	
" 7	10644	U.S. Consul Hiogo	Receipt of dispatch about Tea	
" 7	10645	Comm of Customs Shanghai	Tonnage of "Ping An"	
" 8	10646	U.S.N. Consul Tientsin	Papers of "Oriental"	
" 9	10647	Tao Tai Shanghai	Smuggling on the Yangtze.	
" 9	10648	Capt of "Ashuelot" Shanghai	Arrest of J. McClelland. Deserter.	
" 11	10649	Tao Tai Shanghai	Receipt of dispatch about dues on boats	
" 13	10650	Pivan. Sub Prefect.	Will receive his call to morrow.	
" 14	10651	Tao Tai. Shanghai	Receipt of dispatch about Concessions	
" 14	10652	H.B.M. Consul	Seaman going on board "Juno"	
" 14	10653	U.S. Consul. Amoy	Receipt of dispatch for Dept.	
" 14	10654	U.S. Supt U.S.M.R. of Shipping	Discharge of A. Lewis.	
" 14	10655	U.S. Consul. Amoy	Invoices Sent to Collectors.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Aug 14	10656	Dept of State Washington	Sending Copy of above	
" 14	10657	Sau Tai. Shanghai.	Mr Tobey's Claim. Suen Tai hang "	
" 15	10658	U.S. Consul. Chinkiang	Mr Emery's case.	
" 15	10659	Legation. Chefoo.	Mr Emery's case. Copies of dispatch	
" 15	10660	Dept of State. Washington.	Mr Colby's No 80. to Department.	
" 16	10661	do do do	Mr Hudson's Appl. leave of absence	
" 16	10662	U.S. Consul. Amoy.	Rent allowance. enquiry.	
" 16	10663	Rev C.C. Du Bose. Shanghai.	Sending Copy of Minister's No 81.	
" 16	10664	Messrs Muller + Fisher.	Forwarding "Deed of Partnership"	
" 20	10665	Dept of State. Washington	Interpreter at Chinkiang	
" 21	10666	do do do	Delivery of Watch and Chain to Capt Stewart	
" 21	10667	Collector of Customs. Boston.	9 Triplicate Invoices.	
" 21	10668	U.S. Consul. Hiogo.	Receipt of dispatch about Teas.	
" 21	10669	Collector of Customs. New York.	25 Triplicate Invoices.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Aug 21	10670	Collector of Customs. San Francisco	18 Invoices	
" 21	10671	do do New York	3 do do	
" 21	10672	Legation	Mr Colby's resignation.	
" 22	10673	do	Will purchase Compilation of Treaties	
" 22	10674	do	Tsu Tai's letter about boat dues.	
" 22	10675	U. S. Consul Amoy	Have purchased Compilation of Treaties.	
" 22	10676	Dyesdale Ringin Co.	Receipt of letter about Invoices.	
" 22	10677	U. S Consul. Ningpo	Will purchase Compilation of Treaties	
" 22	10678	do Foochow	do do do	
" 22	10679	do Canton	do do do	
" 22	10680	do Chinkiang	do do do	
" 22	10681	do Hankow	do do do	
" 22	10682	U. S. V. Consul. Tientsin	do do do	
" 22	10683	do Newchwang	do do do	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES
Aug 24	10684	Tau Tai Shanghai	Mr Roberts Hospital Scheme.	
" 25	10685	H.B.M. Du Bosc	His letter to the Viceroy	
" 27	10686	Dept of State. Washington	Salary a/c 1876.	
" 27	10687	Legation. Chefoo.	Mr Jeffries Certificate a/c as A. Consul. Foochow	
" 27	10688	U.S. Consul Hiogo	Receipt of dispatch about Teas.	
" 28	10689	Legation.	Matter of Chinkiang office.	
" 28	10690	Dept of State. Washington	Withdrawal of Chinkiang office advised.	
" 28	10691	Mrs Mary E. Orr. Port Deposit. Md.	Death of Mr J.A. Johnson.	
" 29	10692	Collector of Customs. San Francisco	8. Triplicate Invoices.	
" 29	10693	Harbor Master. Shanghai	Receipt of dispatch about Pilot McDonald.	
" 29	10694	J. McDonald do	Complaint of Harbor master.	
" 30	10695	Dept of State Washington	Mr Lincoln's Trade Dollar dispatch	
Sept 1	10696	Tau Tai Shanghai	Duplicate for Seward Road business	
" 1	10697	D. Magistrate do	Mr Rice's Compradore in jail.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Sept 1	1069	Tau Tai Shanghai	Receipt of Hospital Book.	
	1069	U.S. Legation. Chefoo	Dr McCartie's report. Chinese Emigration	
Sept 1	1070	do do	Ack Circular no 84.	
" 1	1071	do do	Riot of 1874. Claims.	
" 3	1072	do do	Mr Henderson and Rent allowance	
" 3	1074	U.S. Consul Amoy	Receipt of dispatch do do	
" 3	1075	do do do	do do as Sect 381 C. Regulat	
" 4	1076	H. Fininegals. San Francisco	Reply from Mr Trask about E. Jerome.	
" 4	1077	Tau Tai. Shanghai	Ref. Deed no 332.	
" 5	1078	Dis Magistrate do	Dr Martin Sent.	
" 5	1079	H.B. Endicott do	His transit passes.	
" 5	1080	Tau Tai do	Fore Shore Matter.	
" 6	1081	F.B. Johnson. Ch Ch of Com.	Conservation of the Whangpoo.	
" 6	1082	U.S. Legation. Chefoo	Ack receipt of Legations 89+90.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Sept 6	10713	U.S. Legation. Chefoo.	Ackg instructions Estate King & Co	
" 6	10714	Mrs Mary E. Orr Port Deposit. Md.	Estate of Johnson.	
" 6	10715	Jau Fai. Shanghai	Japanese title deeds	
" 6	10716	I. H. Wasner do	Estate of J. A. Johnson (dead)	
" 6	10717	U.S. Legation Peking	Confidential	
" 7	10718	do do do	Sending Chefoo Com letter on Woosung R. Road.	
" 8	10719	Jau Fai Shanghai	Dr McCartee's visit.	
" 10	10720	G. Smith & Co. do	Sending claims. Estate W. Francis	
" 10	10721	Charrier & Co do	do do do do	
" 10	10722	Kirchhammer & Co do	do do do do	
" 10	10723	Shing Gne & Co do	do do do do	
" 10	10724	J. Shadgett do	do do do C. H. Buffum	
" 10	10725	Lilienthal & Co do	do do do do	
" 10	10726	Dan Ching do	do do do do	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Sept 6	10713	U.S. Legation. Chefoo.	Ack'g instructions Estate King & Co	
" 6	10714	Mrs Mary E. Orr Port Deposit. Md.	Estate of Johnson.	
" 6	10715	Jau Tai. Shanghai	Japanese title deeds	
" 6	10716	J. H. Wisner do	Estate of J. A. Johnson (dead)	
" 6	10717	U.S. Legation Peking	Confidential	
" 7	10718	do do do	Sending Chefoo Com. letter on Woosung R. Road.	
" 8	10719	Jau Tai. Shanghai	Dr McCartee's visit.	
" 10	10720	G. Smith & Co. do	Sending claims Estate W. Francis	
" 10	10721	Charrier & Co do	do do do do	
" 10	10722	Kirchhunner & Co do	do do do do	
" 10	10723	Shing Gne & Co do	do do do do	
" 10	10724	J. Shadgett do	do do do C. H. Buffum	
" 10	10725	Lemelson & Co do	do do do do	
" 10	10726	Dask Sing do	do do do do	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Sept 10	10727	Chang Gue. Shanghai	Sending Claim. Estate of C. H. Buffum	
" 10	10728	J. Ching Chong. do	do do do do	
" 10	10729	L. Anderson. do	do do do do	
" 10	10730	Tan Tai. do	Sending Mr DuBose's petition to Viceroy	
" 10	10731	Chamber of Commerce. do	Rec'd of dispatch from Legation in Kowsung R. Road.	
" 11	10732	Dept of State. Washington	Death of Mr Hendrick.	
" 11	10733	Legation. Peking	do do do do	
" 11	10734	U.S. Consul Genl. Yokohama	Receipt of dispatch	
" 11	10735	Dept of State. Washington	Receipt requested to deliver archives.	
" 11	10736	Rev. H. B. DuBose Shanghai	Receipt of his letter to Viceroy	
" 11	10737	Mrs J. B. Hall. Milwaukee.	Receipt of letter.	
" 11	10738	Collector of Port. Boston.	9 Triplicate Invoices	
" 11	10739	W. F. Hendrick. Guilford Ct.	Death of Mr Hendrick.	
" 11	10740	Collector of Port. New York	33 Triplicate Invoices.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Sept. 11	10741	Collector of Port. San Francisco	26 Triplicate Invoices.	
" 11	10742	Dept. of State. Washington	Sending Compilation of Treaties.	
" 11	10743	Dis. Magistrate. Shanghai	Dr Martin's leave sent.	
" 13	10744	Tau Tai. do	Mr Wells takes charge.	
" 13	10745	Mag. Mixed Court. do	do do do	
" 13	10746	Consul for Austria Hungary Shg.	do do do	
" 13	10747	do do Belgium do	do do do	
" 13	10748	do do Denmark. do	do do do	
" 13	10749	do do France. do	do do do	
" 13	10750	do do Germany. do	do do do	
" 13	10751	do do Italy do	do do do	
" 13	10752	do do Japan do	do do do	
" 13	10753	do do Netherland do	do do do	
" 13	10754	do do Portugal do	do do do	

[Form No. 119.]

Register of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending _____ 18 .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Sept 13	10755	Consul for Russia. Shanghai	Mr Wells takes charge.	
" "	10756	do do Spain do	do do do	
" "	10757	do do B. & Norway do	do do do	
" "	10758	do do G. Britain. do	do do do	
" "	10759	Comm Customs do	do do do	
" "	10760	Shg. M. Council do	do do do	
" "	10761	Harbor Master do	do do do	
" "	10762	H. B. M. Sup Court do	do do do	
" "	10763	Japanese Postal agent do	do do do	
" "	10764	U. S. Consul Amoy	do do do	
" "	10765	do Ningpo	do do do	
" "	10766	do Foochow	do do do	
" "	10767	do Canton	do do do	
" "	10768	do Chinkiang	do do do	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.		NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Sept	13	10769	U.S. Consul. Hankow.	Mr Wells takes charge.	
"	"	10770	do Tientsin	do do do	
"	"	10771	do Newchwang	do do do	
"	"	10772	do Hongkong	do do do	
"	"	10773	do Nagasaki	do do do	
"	"	10774	do Hiogo	do do do	
"	"	10775	do Yokohama	do do do	
"	"	10776	U.S. Legation Peking	do do do	
"	"	10777	do Tokio	do do do	
"	"	10778	Supt. Police Shanghai	do do do	
"	"	10779	Tennessee. Yokohama	do do do	
"	"	10780	H.B.M. Reg of Shipping	do do do	
"	12	10781	Legation Peking	Mr Du Bose's Case	
"	17	10782	Dept of State Washington	Mr Wells takes charge.	

[Form No. 119.]

Register *of Official Letters and Dispatches sent from the United States Consulate General at Shanghai, China, for the Quarter ending* _____ *18* .

DATE.	NO.	TO WHOM AND WHAT PLACE SENT.	ON WHAT SUBJECT.	NO. OF ENCLOSURES.
Sept 17	1078 3	Fifth Asst Treasury Washington	Sending transit a/c	
" "	1078 4	Supt For Mails. do	Mr Wells takes Charge &c	
" "	1078 5	Dept of State do	Want of Sup Court Reports	
" "	1078 6	do do do	Rect of Instruction No 1.	
" "	1078 7	Collector of Port. San Francisco	9 Triplicate Invoices.	
" 20	1078 8	J. M. Taylor. Shanghai	Sale of Mr Eames Books	
" 21	1078 9	H. B. M. Sup Court do	Requesting Summons Miss Jessup.	
" 25	1079 0	B. R. Lewis. Nagasaki	Returning papers to him in Appl for C. Clerk	
" 26	1079 1	Tau Tai Shanghai	Mr Wells proposes to call.	
" 28	1079 2	Legation Peking	Sending list of Associates	
" 28	1079 3	do do	Receipt of dispatch	
" 28	1079 4	U. S. Consul. Hankow	do do	
" 28	1079 5	Ch of Commerce Shanghai	do do by Legation.	

No. 22

Misc

ack Jany 23

DEPARTMENT
RECEIVED
JAN
10
1878
OF STATE

United States Consulate General

Shanghai, China

28th November 1877

Mr Wells

To the Department of State

Subject

Requesting to be allowed an amount for purchase of necessary Office furniture

action deferred until appt of new Min.

No. 22

United States Consulate General
Shanghai, 23d. November 1877

Honorable John A. Campbell
Third Assistant Secretary of State
Washington

Sir:

I have the honor to request that I may be allowed a reasonable amount to purchase a Desk and Chair for my official use. The furniture in my office is very scant, there being no desk or chair, but simply, an ordinary table. I would also request that a further amount be allowed for the purchase of a Book case, the same being very necessary.

I am, Sir,

Your obedient Servant

[signature]

U. S. Consul General

Cons
E

Ack and Approve
Wood
Dcd 22 Feby 11

No. 23. United States Consulate General

Shanghai November 23d 1877.

DEPARTMENT RECEIVED DEC 8 1877 OF STATE

Mr. Wells—

To the

Department of State.—

Subject.

Resignation of Dr. D Bethune McCartee as Interpreter.—

Abstract of Contents.

Informing Department of resignation of Dr. Mc Cartee, and of the same being accepted. Remarking upon the inadequacy of salaries paid by the Government for services requiring talent.—

Informing Department of temporary Employment of Spencer Lai Fun, as interpreter.—

No. 23. United States Consulate General.
Shanghai November 23d 1877.

Honorable John A. Campbell
Third Assistant Secretary of State.
Washington D.C.

Sir:

I have the honor to inform you that on the 19th instant, Dr. D. Bethune McCartee tendered me his resignation as Interpreter of this Consulate General, to take effect on the 21st instant; He having accepted a position tendered him from the Chinese Government as Interpreter and Secretary to the Chinese Envoys to Japan, (Copy of resignation herewith enclosed) and that the same was duly accepted.

In notifying the Department of this resignation, I feel it a duty incumbent upon me to add, that in the resignation of Dr. McCartee the Government has lost the services of one of the most distinguished Linguists in the East, and an officer of the strictest integrity; It is an irreparable loss to this Consulate General, and is an evidence

of the

of the unwise policy adopted by our Government, of paying such inadequate salaries for services which require talent, that can command from other Governments a much larger sum for the same services; The result of which, is to force the Government to accept the services of men who are not competent to perform the duties of the office.-

Dr. McCarter received from our Government, Two Thousand a year, which sum in Shanghai would but procure ——, a very moderate living for himself and family. He is now paid for similar services over Six Thousand per year.-

I have employed a young Chinese by the name of Spencer Lai Sun (who has but recently returned from Yale College) to perform, temporarily, the duties of interpreter, as I desired to wait until I could be assured of procuring the services of one who would discharge the duties of the office efficiently and faithfully, before making any recommendation to the Department. —

I am,

Sir,

Sir,
Your obedient Servant.
[redacted]
U. S. Consul General.—

Enclosure.

Copy of resignation of Dr. D Bethune McCarter, Interpreter. to take effect on the 21st day of November 1877.—

United States Consulate General

Shanghai 19th November 1877.

The Hon. S. Wiley Wells.

Consul General and Postal Agent.

Sir:

I beg respectfully to hand you my resignation as Interpreter, and also to ask you to relieve me of the other duties which have been assigned to me during the investigation into the affairs of this Consulate-General, and Postal Agency, which you have been conducting, namely, of acting Deputy Consul General, Deputy Postal Agent, and Clerk of the Consular Court. The Chinese Envoys to Japan, have this morning, availed themselves of the declaration and assurance given them by you, orally on the 29th October, and repeated in writing in your despatch No. 10. addressed to the aforesaid Envoys on the 13th instant, and have made me a formal and definite offer (a translation of which I have the honor to enclose herewith) which offer, under all the circumstances considered I do not feel at liberty to decline.

May I respectfully request, that this

this resignation shall take effect, from and after the 21st inst.

I have the honor to be,
Sir, very respectfully
Your obedient Servant,
(sd) D. Bethune McCartee.
Interpreter to the
U. S. Consul at General.

—Translation.—

Dr. McCartee, an American Citizen, is hereby engaged to accompany the undersigned Envoys to Japan, to assist in the transaction of business. The Salary to be Four Hundred Shanghai Taels (Sh. Tls 400.—) per mensem: he paying his own house rent, and other expenses.— The Engagement is to commence from the 3d year of Kwang Su, the 10th moon, 21st day (= 20th November, 1877.) and is to continue in force for two years (at least) or for three years, in case the undersigned are continued three years in office.— This document is given as an evidence of the agreement, and is attested by the Imperially appointed Envoys to Japan.—

(sd) No. (Seal)

" Chang (do.)

Kwang Su, 3d year, 10th moon, 15th day,
(19th November 1877)

Mr Hoar

WASHINGTON, D. C., *December* 7, 1877.

RUTHERFORD B. HAYES,
President of the United States.

SIR: I was commissioned Consul-General to Shanghai, China, on the 28th day of February, 1876. The appointment was confirmed by the Senate, and having received my instructions from the State Department, I at once repaired to Shanghai, arriving there on the 1st of May following. I entered upon the discharge of my official duties a few weeks afterwards, and continued to perform them until March 27, 1877.

In the month of February, 1877, an article appeared in a local English newspaper at Shanghai referring to the case of Benjamin Pease, an American citizen, who had been arrested in 1871, on the charge of piracy and murder. This man had in some way been released by Hon. George F. Seward, while he was Consul-General. The article was somewhat severe upon the action of Mr. Seward in that regard. It seems that Mr. Seward suspected me of having instigated or written the article, and thereupon charged me with its authorship. In my dispatch to him, No. 549, written in the month of March, 1877, I emphatically denied having had anything to do with said article in any manner whatever. Notwithstanding my denial, I received in a short time the following letter from him:

"SHANGHAI, *March* 27, 1877.

"JOHN C. MYERS, ESQUIRE,
"*U. S. Consul-General, Shanghai.*

"SIR: I have received your dispatch, No. 549.

"I regret to say that I cannot hold you blameless in the matter of the libelous article which was printed in the *Evening Courier* on the 21st of last month.

"I am constrained, under these circumstances, to relieve you from the charge of Consulate-General. Mr. Bradford, Vice-Consul-General, will take charge at once, and will receipt to you for the public moneys and property.

"I shall report my action, and the occasion for it, to the Secretary of State.

"I have the honor to be, sir, your obedient servant,

"Signed) GEORGE F. SEWARD,
"*U. S. Minister.*"

This action was taken by Mr. Seward, although I distinctly denied having taken any part in the publication of said article, and offered to prove my entire innocence of the charge. At the time said article appeared, I was utterly ignorant as to who the author was; but it becoming known that I had not only been charged with writing the article, but had been suspended from my office by Mr. Seward upon said charge, John Pitman, Esq., an English merchant of Yokohama and Shanghai, came forward and acknowledged that he was responsible for said article, and thereupon voluntarily sent me the following affidavit:

I, JOHN PITMAN of Yokohama, in the Empire of Japan, *make oath* and say as follows:

First. That I have been a frequent contributor to the editorial columns of the "Celestial Empire," also the "Shanghai Courier and China Gazette," newspapers published in Shanghai.

Secondly. That the editor and proprietor has frequently consulted me concerning matters relating to these journals.

Third. That on or about the 19th or 20th day of February, one thousand eight hundred and seventy-seven (1877), I called upon Mr. Balfour, (the editor and proprietor mentioned above), and he enquired if I knew anything about a man named Pease. I informed Mr. Balfour that I did, and that the man was a desperate villain who had been brought here in the United States frigate "Colorado," but whose escape from punishment was inexplicable; further, that Pease had turned up subsequently in Japan, and that he had once called upon me asking for an advance of money to run a schooner between Yokohama and the Bonin islands, but that I had declined to have anything whatever to do with him, directly I ascertained who he was. In addition to the above information, I promised to supply Mr.

Balfour with the notes I possessed of Consul Russell Robertson's visit to the Bonin islands, in which the death of Pease is described. Mr. Balfour begged me to let him have these notes; he then explained to me (what I then heard for the first time) the purport of a sermon preached on the preceding Sunday by Doctor Nelson, and informed me that he had just finished an article on the subject, which he begged me to read over carefully, and make any suggestions or alterations thereupon that I thought advisable. After a careful perusal of the article, I marked the portions I considered objectionable as being of too personal a nature, and I told Mr. Balfour that without further and more conclusive evidence I should recommend him to still further modify the article, and that before publishing it he should consult some third party. On my calling at the office of the paper in the afternoon with Consul Robertson's report referred to above, Mr. Balfour informed me that he had followed my advice and had submitted the article to Mr. Preston, who had further modified it, and this article appeared in the evening edition of the Shanghai Courier of the nineteenth or twentieth day of February, 1877, or thereabouts.

Fourthly. I was unacquainted with either Mr. Seward or Mr. Myers up to this time, and I only became acquainted with the latter gentleman on hearing of the unjust charge which had been made against him, when I immediately called and introduced myself to Mr. Myers and explained the above circumstances.

JOHN PITMAN.

Sworn to at Kanagawa this second day of November, one thousand eight hundred and seventy-seven.

RUSSELL ROBERTSON,

BRITISH CONSULATE, KANAGAWA, *November 2d*, 1877. *H. M. Consul.*

U. S. CONSULATE GENERAL,
KANAGAWA, *Nov. 2d*, 1877.

I hereby certify that the foregoing is the signature of Russell Robertson, Esq., H. B. M.'s Consul at this port, and also that the seal is that of H. B. M.'s Consulate.

Witness my hand and seal.

H. W. DENISON,
U. S. Vice Consul General.

Mr. President, in this matter great injustice has been done me, and I confidently request the opportunity, at least, of vindicating myself. Suspended upon a base and baseless charge, denied a hearing, I now ask to be heard. Justice having been denied me by others, I appeal to you.

While at Shanghai I discharged to the very best of my ability all the duties of my office. I refused to put myself in a position where private interests might be at war with public duties. I simply attended to my official business. I stood in the way of the speculations and plans of others. For this, and for this only, I was suspended. I had nothing to do either with instigating, writing, or publishing the article complained of by Mr. Seward. Of the charge he made I was perfectly innocent. Mr. Seward would not listen to explanations. He would not hear evidence. He felt it necessary for his own interest that I should be suspended. This article furnished him a pretext. He knew then, and he knows now, that I was not the author of the article.

I have been informed that since my suspension he has made other charges against me. Of their nature I am not informed. If, however, there is any charge that I, while at Shanghai, did anything inconsistent with my official position, it is entirely false. All I ask is to have my conduct fairly and fully investigated. If I am guilty, let me be punished; if I am innocent, I wish to be vindicated. I ask only for justice.

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I have the honor to remain, your obedient servant,

JOHN C. MYERS.

Executive Mansion.

Myers. John C.

Condensed statement of John C Myers - Consul General of the United States for China - under suspension -

Respectfully referred to the Secretary of State.

"Please examine and let me know about this. R. B. H."

By direction of the President:

Dec 14. 1874.

O. L. Pruden
Secretary

Please examine & let me know about this. R. B. H.

Mr Wood

Instructions
Dec. 20. 77

Recd Jan 5 mail
Dec 22

Seward

Secretary of State.

Washington

When relieved shall I take
charge at Hong Kong

Wells

Shanghai

Recd Dec 20. 1877

No. 24

ack Feb 11

M Purpose

DEPARTMENT RECEIVED FEB 8 1878 OF STATE

United States Consulate General.

Shanghai December 28th 1877.

Mr. Wells —

to the

— Department of State. —

Subject.

Trade Reports.-

Abstract of Contents.

Transmitting "Reports on Trade" at the Treaty Ports of China (one (1) vol.) for the year 1876.-

Recd & Letter ack Feb. 11

No. 24. United States Consulate General
Shanghai December 28th 1877.

Honorable
John A. Campbell
Third Assistant Secretary of State.
Washington, D.C.

Sir:

I have the honor to herewith, transmit (one (1) Vol.) "Reports on Trade" at the Treaty Ports in China, for the year 1876.-

I am
Sir,
Your obedient servant.
[signature]
U. S. Consul General.